



- 9:55 John McBride, Andersen Engineers-\*Approval of the following plats-  
\*GWTC Tract 1, located in the SE1/4NE1/4SW1/4 of Section 16, T8S, R5E, BHM, Fall River County, South Dakota  
\*Outlot E North and Outlot E South, located in the SW1/4 of Section 12, T7S, R5E, BHM, Fall River County, South Dakota, Formerly Outlot 3 of Tract M, less Lot H-3
- 10:00 Approve bills & break
- 10:10 Public Comment
- 10:15 Lily Heidebrink, Director of Equalization-\*Update on Sam Kipp's Certification process  
\*Follow-up on Class that Heidebrink attended in Rapid  
\*Possible underfill for open position in office
- 10:25 Executive Session as per SDCL 1-25-2 (1) personnel – 4H Youth Program Advisor Annual Performance Review; (3) legal and (4) Union Contract negotiations
- 10:45 Erin McGlumphy, SDSU Extension-\*Hire approval for Administrative Assistant; possible action

Adjourn

\*\*Agendas are set 24 hours prior to a meeting. Any items added at the meeting will be heard for informational purposes only, if any items require action, such action will be deferred to the next meeting.

Fall River County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of accommodations, please notify the Auditor's Office, (605) 745-5130, 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.

The below Conference Call information is assigned for pre-arranged agenda items where the presenter is unavailable in person.

Conference Call information (if applicable): Call in #-(848) 777-1212; Conference ID#-37268689

## **FALL RIVER COUNTY UNAPPROVED MINUTES OF OCTOBER 5, 2023**

The Fall River Board of County Commissioners met in regular session on October 5, 2023. Present: Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, Auditor. Absent: Joe Allen

The Pledge of Allegiance was given, and the meeting called to order at 9:00 a.m.

The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcountries.org>, or on Facebook, on the Fall River County's website.

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

Motion made by Russell, seconded by Greenough, to approve the minutes of the County Commissioners for September 21, 2023.

Motion made by Russell, seconded by Cope, to approve the Auditor's Account with the Treasurer for August, 2023.

Motion made by Greenough, seconded by Russell, to set a Supplement and Contingency Hearing on October 19, 2023 at 9:30 am.

There were no County Assistance applications.

Lyle Norton, Sheriff, met with the Board with updates including the following jail count: 20 inmates, 15 male and 4 females with 1 additional male being held in Pennington County.

Motion made by Greenough, seconded by Russell, to approve purchasing two 2024 Dodge Durango vehicles off of State Bid, at a total cost of \$86,722.00. The amount does not include upfitting the vehicles with law enforcement equipment.

Norton noted that the County received money from a 50/50 Grant awarded for the purchase of Bullet Proof Vests in the amount of \$2,789.55.

Chief Deputy Belt gave a report to the Board on the free Use of Force Instructor Training in Pierre, September 18-28, 2023 that he had attended. Room and board and most meals were paid for by LET. All law enforcement officers are required to have this training every 2 years. He can now provide the training to other Deputies and possibly other local law enforcement.

Frank Maynard, Emergency Manager, met with the Board. Motion made by Russell, seconded by Greenough, to approve the Chairman to sign the 4th Quarter LEMPG single signature sheet.

Motion made by Greenough, seconded by Russell, to approve the Chairman to sign the appointment of Gary Baker, Assistant Emergency Manager, as applicant agent regarding FEMA documents.

Motion made by Greenough, seconded by Russell, to approve the Chairman to sign the designation of Gary Baker, Assistant Emergency Manager, as applicant agent regarding FEMA documents.



Maynard informed the Board that the SD DOT has created a new policy to allow individual counties to close County Roads and include them in the 511 System if there is a weather emergency. Maynard provided a quote for the UPS Battery System for backup. Melissa Fleming, Lead Dispatcher, was present to give a summation of recent power outages and how they effected the 911 Dispatch operations, including how the county was non-compliant with SD State regulations during the outages.

Motion made by Greenough, seconded by Russell, to accept the quote for the UPS Battery System for Dispatch from Rushmore Communications in the amount of \$46,277.74 and proceed with the purchase.

Greenough asked for the status of the radio repeater for the Oelrichs area and for a map of the coverage areas. Maynard stated that the County needs to consider the Eckert well location for the repeater as he has had no interest by an electrician to work on that project at the water tower, there will be need for trenching, and there is no building. The Eckert well has electricity and a building. Maynard will provide a map of the coverage area.

Randy Seiler, Highway Superintendent, met with the Board to provide updates regarding current projects. The culvert for County Road 79C on the East side of Angostura Reservoir will arrive soon and installation will begin next week. He reported that he had spoken to Doug Kinniburgh, SDDOT Engineering Supervisor, regarding the Igloo area and was told that they are still working on negotiations for the contract with Simons for right of way. Seiler also noted that his department is currently doing the 2<sup>nd</sup> mowing of the roads for the season and have about 2 weeks of mowing left. The Commissioners spoke of the Hwy 385 road construction that is occurring in Hot Springs and are concerned with access to the Courthouse. The Commissioners requested that Seiler invite Rich Zacher, DOT Area Engineer, to attend the next meeting to provide answers. Greenough spoke of the North Butte Road and needed maintenance.

The Fall River County Master Transportation 2024-2028 5-Year Highway and Bridge Improvement Plan Hearing took place at 9:30 am, as advertised. Seiler noted that there were no changes from last year. It was noted that the bridge near Oelrichs is on the Plan as an eligible project, but Seiler doesn't intend to replace it. He feels that a culvert will be sufficient and less expense for that site. Seiler also noted that, if the cost of chip sealing continues to rise, they may split the asphalt projects into 2 two years rather than all in 2025. Motion made by Cope, seconded by Russell, to approve the Fall River County Master Transportation 2024-2028 5-year Highway and Bridge Improvement Plan.

Amy Ferley, Edgemont School Superintendent, presented information regarding the Heavy Equipment simulators that they received as part of a 50/50 Grant and invited the Commissioner's to stop in for a demonstration. She believes that this is a great benefit for the Edgemont students, which the board concurred with.

Motion made by Russell, seconded by Greenough, to approve paying the following bills:

<b>GENERAL FUND</b>		
AFLAC	AMERICAN FAMILY ASSU	\$689.34
AMAZON CAPITAL SERVICES	SUPPLY	\$487.20
AUDRA HILL CONSULTING, INC	MI/CONSULTING	\$131.91
BLACK HILLS CHEMICAL	SUPPLY	\$433.28
BQ & ASSOCIATES, P.C., LLO	GARNISHMENT	\$284.13
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$4,588.15
BOMGAARS	SUPPLY	\$100.46
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
CENTURY BUSINESS LEASING	COPIER LEASE AND USA	\$890.06



CPS TECHNOLOGY SOLUTIONS	SOFTWARE MAINTENANCE	\$3,028.82
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,119.25
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,681.00
DIAMOND AUTOMOTIVE	SERVICE	\$126.07
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	EFTPS PAYROLL TAXES	\$47,621.36
EN-TECH LLC	FUMIGATION	\$125.00
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$52.75
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSI	\$65.00
FLEMING, MALACHIAH	REIMBURSEMENT UNIFOR	\$106.19
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$6,466.65
HEIDEBRINK, LILY	TRAVEL REIMBURSEMENT	\$166.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$600.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$417.39
CITY OF HOT SPRINGS	4TH QTR FIRE SPRINKL	\$24.00
HUSTEAD LAW OFFICE, P.C.	CAAF, MI, JUV	\$5,644.96
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$27,396.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$297.00
MARCO	COPIER LEASE	\$163.14
MARTY'S TIRE & AUTO BODY	SERVICE	\$380.00
MASTERCARD	COUNTY CREDIT CARD	\$2,685.07
MCGLUMPHY, ERIN	TRAVEL REIMBURSEMENT	\$721.13
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NEWMAN SIGNS INC.	SIGNAGE	\$4,673.08
NORTON, TINA	CONTRACT NURSE INMAT	\$1,550.00
NUTRIEN AG SOLUTIONS	SUPPLY	\$7,376.40
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
ONSITE FIRST AID, LLC	FIRST AID SUPPLY	\$236.97
OTIS ELEVATOR COMPANY	SERVICE CONTRACT	\$467.16
PENNINGTON COUNTY JAIL	TRANSPORTATION	\$120.92
RELIANCE STANDARD LIFE	VISION PLAN	\$355.68
BEST WESTERN RAMKOTA	CONFERENCE ROOM STAY	\$605.00
SOUTH DAKOTA ST TREASURER	SALES TAX	\$148.74
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$24,717.24
SERVALL	RUG SERVICE	\$465.44
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$800.00
SOUTHERN HILLS LAW PLLC	JUV	\$738.30
SD DEPT OF PUBLIC SAFETY	2ND HALF TELETYPE SE	\$3,090.00
VAN DIEST SUPPLY	SUPPLY	\$907.50
VERIZON WIRELESS	CELL PHONE PLAN	\$786.70
WYNDHAM GRAND PITTSBURGH	NATIONAL 4H CONFEREN	\$232.19
FEES, IRMA	BLOOD DRAW	\$450.00
MILES, SASHA	BLOOD DRAW	\$225.00
BISH'S RV OF CHEYENNE	REPALCEMENT TREASURE	\$881.93

BISH'S RV OF CHEYENNE	CASHED ORIGINAL CK/V	-\$881.93
TILLMAN, WILLIAM	REPALCEMENT TREASURE	\$5.00
BRUNTON, JACK	OVER PAYMENT	\$100.00
COMMISSION	SEPTEMBER SALARIES	\$4,350.00
AUDITOR	SEPTEMBER SALARIES	\$22,514.50
TREASURER	SEPTEMBER SALARIES	\$17,273.25
ST ATTY	SEPTEMBER SALARIES	\$17,766.28
MAINTENANCE	SEPTEMBER SALARIES	\$10,528.53
ASSESSOR	SEPTEMBER SALARIES	\$16,883.78
REG/DEEDS	SEPTEMBER SALARIES	\$13,133.77
VETERAN SERVICE	SEPTEMBER SALARIES	\$4,540.03
GIS	SEPTEMBER SALARIES	\$4,536.82
SHERIFF	SEPTEMBER SALARIES	\$52,925.68
JAIL	SEPTEMBER SALARIES	\$34,569.92
NURSE	SEPTEMBER SALARIES	\$2,505.19
WEED & PEST	SEPTEMBER SALARIES	\$4,764.86
	<b>TOTAL FOR GENERAL FUND</b>	<b>\$363,026.00</b>
<b>COUNTY ROAD &amp; BRIDGE</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$37.51
AFLAC	AMERICAN FAMILY ASSU	\$365.50
BLACK HILLS ELECTRIC	UTILITY	\$48.52
BLACK HILLS CHEMICAL	SUPPLY	\$38.49
BLACK HILLS ENERGY	UTILITY POWER ELECTR	\$309.12
BOMGAARS	SUPPLY	\$287.91
BORREGO ENERGY	TOOLS/EQUIPMENT	\$14,170.50
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$1,149.89
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$591.98
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$7,331.42
EFTPS	EFTPS PAYROLL TAXES	\$12,490.66
FALL RIVER AUTO SUPPLY	AUTO PARTS/REPAIR	\$10.00
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSI	\$50.00
GODFREY BRAKE SERVICE	PARTS	\$308.94
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$8.25
GROSSENBURG IMPLEMENT,INC	PART	\$1,344.12
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
SIMON CONTRACTORS OF SD	GRAVEL	\$70,988.75
HOT SPRINGS ACE HARDWARE	SUPPLY	\$23.57
CITY OF HOT SPRINGS	WATER	\$101.70
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$6,762.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
MASTERCARD	COUNTY CREDIT CARD	\$45.74
NEWMAN SIGNS INC.	SIGNAGE	\$340.86
ONSITE FIRST AID, LLC	FIRST AID SUPPLY	\$42.80
POMP'S TIRE SERVICE INC.	PARTS	\$325.68



RELIANCE STANDARD LIFE	VISION PLAN	\$65.00
RAPID DELIVERY	DELIVERY	\$18.53
RDO EQUIPMENT CO	REPAIR/PARTS	\$870.62
SAFETY-KLEEN SYSTEMS, INC	PARTS WASHER/LEASE &	\$678.83
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$6,109.34
SEILER, RANDY	CELLPHONE REIMBURSEM	\$75.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$40.00
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$8.58
CRBR ADMIN	SEPTEMBER SALARIES	\$10,182.63
CRBR ADM	SEPTEMBER SALARIES	\$40,728.87
	<b>TOTAL FOR COUNTY ROAD &amp; BRIDGE</b>	\$176,359.31
<b>911 SURCHARGE REIMBURSEMENT</b>		
AFLAC	AMERICAN FAMILY ASSU	\$67.21
CENTURY BUSINESS LEASING	COPIER LEASE AND USA	\$120.61
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$317.54
EFTPS	EFTPS PAYROLL TAXES	\$6,976.28
FALL RIVER HEALTH	PRE-EMPLOYMENT PHYSI	\$65.00
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$16.50
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	\$502.63
ONSITE FIRST AID, LLC	FIRST AID SUPPLY	\$55.68
POWERPHONE INC	SOFTWARE SUPPORT	\$299.70
RELIANCE STANDARD LIFE	VISION PLAN	\$7.48
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$3,165.48
VERIZON WIRELESS	CELL PHONE PLAN	\$41.88
DISPATCH	SEPTEMBER SALARIES	\$27,219.62
	<b>TOTAL FOR 911 REIMBURSEMENT</b>	\$41,731.97
<b>EMERGENCY MGT</b>		
AMAZON CAPITAL SERVICES	SUPPLY	\$47.49
EFTPS	EFTPS PAYROLL TAXES	\$1,861.44
GOLDEN WEST TECHNOLOGIES	SERVICE/NETWORK/SERV	\$16.50
MARCO	COPIER LEASE	\$81.56
MASTERCARD	COUNTY CREDIT CARD	\$18.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$864.02
VERIZON WIRELESS	CELL PHONE PLAN	\$125.64
EMERGENCY MGT	SEPTEMBER SALARIES	\$7,291.22
	<b>TOTAL FOR EMERGENCY MGT</b>	\$10,305.87
<b>24/7 SOBRIETY FUND</b>		

EFTPS	EFTPS PAYROLL TAXES	\$453.54
		\$453.54
<b>24/7 PARTICIPATION FEE</b>		
SD ATTORNEY GENERAL	24/7 STATE DISBURSEM	\$100.00
SD ATTORNEY GENERAL	24/7 CAM DISBURSEMEN	\$135.00
	<b>TOTAL FOR 24/7 PARTICIPATION FEE</b>	\$235.00
	<b>TOTAL PAID BETWEEN 9/22 &amp; 10/6/2023</b>	\$592,111.69

Break was taken at 9:44 am. The meeting resumed at 9:55 am.

Public comment was heard from Diane Newham. She spoke about Breast Cancer Awareness. She also had concerns regarding the Igloo bridge and road. She fears that someone is going to get injured or worse because of its poor condition. She would like to see the County do more blading, etc. It was noted by a commissioner that she and the residents near her are in a subdivision and it was recommended that they check into becoming part of a road district. Highway Superintendent Seiler noted that the county maintains a small portion of that area, the rest is private road. The Commissioners would like Seiler to invite Kinniburgh to speak at a future meeting to inform the local residents of potential solutions. Les Cope, Commissioner let everyone know that he will be inviting Trish Ladner, Julie Frye-Mueller and Dennis Krull to the next meeting to speak regarding a draft bill for the '24 session, regarding property taxes.

Dustin Ross, Andersen Engineers, met with the Board to submit the following plat: GWTC Tract 1, located in the SE1/4NE1/4SW1/4 of Section 16, T8, R5E, BHM, Fall River County, South Dakota.

Motion made by Russell, seconded by Greenough, to approve the above plat. With a tie vote, Falkenburg and Russell voting yes, Cope and Greenough voting no, motion failed.

Sue Ganje, Auditor, met with the Board to present a quote from CPS Technology Solutions.

Motion made by Russell, seconded by Greenough, to accept the quote for IBM hardware maintenance for Power 8 and for TS2250 Tape Drive in the amount of \$3,028.82, and proceed with the purchase.

Motion made by Greenough, seconded by Cope, to approve the addition of "Deadline to secure a time on the agenda and present any documents (if applicable), is 5:00 pm on the Monday before the meeting. In the event of an emergency, the Commissioners may add to the agenda at their discretion up until 9:00 am on the Wednesday before the meeting."

Executive Session was held over to the next meeting.

Motion made by Russell, seconded by Cope, to adjourn at 10:14 am.

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

ATTEST:  
/s/ Sue Ganje, Auditor  
Sue Ganje, Auditor




Fall River County

**AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER**


TO THE HONORABLE BOARD OF FALL RIVER COUNTY COMMISSIONERS:  
I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 30th day of September 2023.

<b>Total Amount of Deposit in First Interstate Bank, HS:</b>	\$	1,886,691.64
<b>Total Amount of Cash:</b>	\$	2,396.07
<b>Total Amount of Treasurer's Change Fund:</b>	\$	900.00
<b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>	\$	34,431.00
<b>SAVINGS:</b>		
#4) First Interstate Bank, HS:	\$	1,238,466.71
<b>CERTIFICATES OF DEPOSIT:</b>		
#8) Black Hills Federal Credit Union, HS:	\$	250,000.00
#14) Schwab Treasury:	\$	95,765.85
#15) First National Bank, Lead:	\$	321,631.87
#21) Schwab Treasury 2 Yr:	\$	269,573.13
#22) Schwab Treasury 2 Yr:	\$	978,304.69
#23) Schwab Treasury 2 Yr:	\$	980,468.75
#24) Schwab Treasury 2 Yr:	\$	2,056,609.38
#25) Schwab Treasury 3 Yr:	\$	1,929,375.00
#26) Schwab Treasury 4 Yr:	\$	1,012,462.97
#27) Schwab Treasury 2 Yr:	\$	976,303.13
<b>Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:</b>		
Register of Deeds Change Fund:	\$	500.00
Highway Petty Cash:	\$	20.00
Election Petty Cash:	\$	15.00
<b>RETURNED CHECKS:</b>		
Hannah Thomas	\$	426.01
Lewis, Harold/ Carole	\$	557.77
<b>TOTAL</b>	<b>\$</b>	<b>12,034,898.97</b>

Dated This 30th Day of September 2023.



Sue Ganje, County Auditor of Fall River County



Teresa Pullen, County Treasurer of Fall River County

County Monies	\$	10,907,335.97
Held for other Entities	\$	810,095.33
Held in Trust	\$	317,467.67
<b>TOTAL</b>	<b>\$</b>	<b>12,034,898.97</b>

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





- (2) There is need for road work in the territory described in this Petition.
- (3) The territory proposed to be organized as the Woodland Rd Road District is shown on attached Exhibits “A”, “B” and “C” and described as follows:

Lots 10, 11, 12, 14A, 14B and 19 of Pine Haven Subdivision located in the E1/2 of the NE1/4 of Section 22 and the W1/2 of the NW1/4 of Section 23, T7S, R5E, Black Hills Meridian, Fall River County, South Dakota.

- (4) Petitioners respectfully request that:
  - a. the Fall River Board of County Commissioners define the boundaries for the Woodland Rd Road District;
  - b. that a referendum be held within the territory so defined on the question of the creation of a road district in the territory; and
  - c. that the board determine that such a district be created.

Petitioners attach and incorporate here as Exhibits “A”, “B” and “C” pursuant to SDCL § 31-12A-2, plats and map of Pine Haven Subdivision which are an accurate survey and map of the territory intended to be embraced within the limits of the road district, showing the boundaries and area of the Woodland Rd Road District, which has been verified by the affidavit of the surveyor, and filed with the Fall River County Register of

Deeds on April 19, 1977, and recorded in Book X of Plats on Page 90; and on October 5, 1993, and recorded in Book XVI of Plats on Page 68.

WHEREFORE, pursuant to SDCL §§ 31-12A-6 and 31-12A-11, Petitioners request an Order declaring that the territory shall, with the assent of the eligible voters, as specified in SDCL § 6-16-2,<sup>1</sup> in an election as provided in SDCL §§6-16-4 to 6-16-6,<sup>2</sup> inclusive, be an incorporated road district by the name “Woodland Rd Road District”.

Respectfully submitted this 31<sup>st</sup> day of August, 2023.

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<sup>1</sup> **SDCL § 6-16-2, Petition—Number of signatories—Deposit for costs.** The application for organization shall be a petition verified by one or more circulators by affidavit stating that each affiant personally witnessed the signatures of the petition and believe the signatures to be genuine. Except as provided in this section, the Petition shall be signed by at least twenty-five percent of the registered votes within the proposed district. ... The Petition shall be accompanied by a deposit covering the estimated costs as determined by the county auditor of the public notices and the conduct of the election for the formation of the district. The county auditor may waive the deposit or payment requirement or may specify other arrangements for payment of the publication and election costs. If the district to be formed is a road district, the Petition shall conform to the requirements of § 31-12A-3 and shall be signed by at least twenty-five percent of the eligible voters of the district as defined in § 31-12A-1.2.

<sup>2</sup> **SDCL § 6-16-4. Notification of voter registration deadline.** The county auditor shall publish the notice of the voter registration deadline at least once each week for two consecutive weeks, the last publication to be not less that twenty-four nor more than thirty days prior to the election. If the eligible voters are defined as landowners only for the special district to be formed, the notice of the voter registration deadline does not need to be published. The auditor shall publish each notice of election at least once each



week for two consecutive weeks, the last publication to be not less than four nor more than ten days before the election in at least one legal newspaper of general circulation in the proposed district.

**SDCL § 6-16-5. Election on question of incorporation in districts containing less than one thousand voters—Election of directors or trustees.** If the proposed district contains less than one thousand eligible voters as defined in § 6-16-6, the county auditor shall set a date, time, and location for a meeting to be held within the district, or at the county seat of any county in which a portion of the proposed district is located, to conduct an election on the question of the formation of the special district. The date may not be more than sixty days after the appropriate board declares that the application for incorporation is valid. The auditor shall appoint three judges of election, one of whom shall serve as the superintendent, to conduct the election. The vote upon the question of incorporation shall be by ballot which conforms to a ballot for a statewide question except that the statement required to be printed on the ballot shall be prepared by the state's attorney. After the vote is cast and counted, the judges shall prepare a certification showing the whole number of ballots cast, together with the number voting for and the number voting against incorporation, and shall return the certification to the county auditor. ...

**SDCL § 6-16-5.1. Election on question of incorporation in districts contains one thousand or more voters.** If the proposed district contains one thousand or more eligible voters as defined in § 6-16-6, the county auditor shall set a date for an election to be held within the district, or at the county seat of any county in which a portion of the proposed district is located, on the question of formation of the special district.

....

WE, THE UNDERSIGNED are qualified voters in the area herein described. We petition that the question of forming the Woodland Rd Road District be submitted for a vote of approval or rejection pursuant to law.

Lots 10, 11, 12, 14A, 14B and 19 of Pine Haven Subdivision located in the E1/2 of the NE1/4 of Section 22 and the W1/2 of the NW1/4 of Section 23, T7S, R5E, Black Hills Meridian, Fall River County, South Dakota.

A. There is need for road work in the territory described.

B. The undersigned land owners within the proposed County Road District request the Board of County Commissioners of Fall River County, South Dakota define the boundaries for the County Road District and set a referendum to be held within the territory of the proposed County Road District and that the Board of County Commissioners of Fall River County, South Dakota determine that such a district be created.

**INSTRUCTIONS TO SIGNERS:**

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN <i>Matthew F Spilker</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27411 Woodland Rd	DATE OF SIGNING 8/30/23
PRINT Matthew F Spilker	CITY OR TOWN Hot Springs	COUNTY OF REGISTRATION Fall River
SIGN <i>Marvin J. Halls</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 27418 Woodland Rd	DATE OF SIGNING 8-30-23
PRINT MARVIN J. HALLS	CITY OR TOWN HOT SPRINGS	COUNTY OF REGISTRATION FALL RIVER



SIGN <u>Barbara D. Pearson</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>27419 Woodland Rd</u>	DATE OF SIGNING <u>8/30/23</u>
PRINT <u>BARBARA D. PEARSON</u>	CITY OR TOWN <u>Hot Springs, SD</u>	COUNTY OF REGISTRATION <u>FALL RIVER</u>
SIGN 4 _____	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____	DATE OF SIGNING _____
PRINT	CITY OR TOWN _____	COUNTY OF REGISTRATION _____
SIGN 5 _____	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____	DATE OF SIGNING _____
PRINT	CITY OR TOWN _____	COUNTY OF REGISTRATION _____
SIGN 6 _____	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____	DATE OF SIGNING _____
PRINT	CITY OR TOWN _____	COUNTY OF REGISTRATION _____

**VERIFICATION OF PERSON CIRCULATING PETITION**

This section **must** be completed following circulation and before filing.

Matthew Spilker      27411 Woodland Rd      Hot Springs      SD  
 Printed Name of Circulator      Residence Address      City      State

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

Matthew Spilker  
 Signature of Circulator

Sworn to before me this 31 day of August 23.



Julie Tomlinson  
 Signature of Officer Administrating Oath

Deputy Auditor  
 Title of Officer Administrating Oath

My commission expires Term.



AMENDED PLAT OF  
PINE HAVEN SUBDIVISION

PAGE 1 OF 2

**CERTIFICATE**

We, Gary A. Shelstead and Haridish Shelstead, certify that we are the owners of all the land included in the within Amended Plat of Pine Haven Subdivision Elyria, Section 22 & 23, T7S, R5E, S.H.M., Fall River County, South Dakota, which plat was made at our request and under our direction for the purposes indicated therein, and that streets, alleys, and utility easements on said plat are dedicated to public use forever, but such dedication shall not be construed as a donation of the fee of such land.

*[Handwritten signatures]*

**NOTARIAL CERTIFICATE**

STATE OF CALIFORNIA  
I, *[Signature]*, Notary Public for the State of California, do hereby certify that the within Amended Plat of Pine Haven Subdivision Elyria, Section 22 & 23, T7S, R5E, S.H.M., Fall River County, South Dakota, was duly and lawfully made and adopted by the owners of the land therein described, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto.

Witness my hand and official seal this *[Date]* day of *[Month]*, 1977.

**CERTIFICATE**

We, *[Signatures]*, certify that we are the owners of all the land included in the within Amended Plat of Pine Haven Subdivision Elyria, Section 22 & 23, T7S, R5E, S.H.M., Fall River County, South Dakota, which plat was made at our request and under our direction for the purposes indicated therein, and that streets, alleys, and utility easements on said plat are dedicated to public use forever, but such dedication shall not be construed as a donation of the fee of such land.

*[Signatures: Malon R. Anderson, Kathleen C. Anderson, Henry M. Nelson, Geneva J. Nelson]*

**NOTARIAL CERTIFICATE**

I, *[Signature]*, Notary Public for the State of California, do hereby certify that the within Amended Plat of Pine Haven Subdivision Elyria, Section 22 & 23, T7S, R5E, S.H.M., Fall River County, South Dakota, was duly and lawfully made and adopted by the owners of the land therein described, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto.

Witness my hand and official seal this *[Date]* day of *[Month]*, 1977.

STATE OF WYOMING  
WESTON  
I, *[Signature]*, Notary Public for the State of Wyoming, do hereby certify that the within Amended Plat of Pine Haven Subdivision Elyria, Section 22 & 23, T7S, R5E, S.H.M., Fall River County, South Dakota, was duly and lawfully made and adopted by the owners of the land therein described, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto, and that the same is a true and correct copy of the original instrument as shown and acknowledged to me by the parties thereto.

Witness my hand and official seal this *[Date]* day of *[Month]*, 1980.







RECIPIENT NAME	DOD	COP	CAA	IMN	BLD	MHC	DET	TOTAL	BALANCE	ST
Addison, Eddie	8/18/2023		\$910.55	\$35.00				\$945.55	\$945.55	SD
Alexander, Jayme	10/4/2022		\$1,991.91	\$28.62	\$340.00			\$2,360.53	\$2,360.53	SD
Alexander, Nova	11/29/2021		\$251.70					\$251.70	\$251.70	SD
Anderson, Michael Thomas	2/7/2020	\$510.00	\$726.71	\$405.00				\$1,641.71	\$1,641.71	SD
Ashley, Tamera	11/11/2019	\$445.00	\$491.01	\$59.80				\$995.81	\$995.81	SD
Brafford, Kathy	7/14/2023	\$574.05						\$574.05	\$574.05	SD
Bromm JR, James	7/20/2021			\$110.00				\$110.00	\$110.00	SD
Crosby, Gary	3/23/2021	\$1,900.00						\$1,900.00	\$1,900.00	SD
Drapeaux, Luckie	2/18/2014	\$123.50						\$123.50	\$123.50	SD
Elmquist, Deanna	9/4/2021				\$140.00			\$140.00	\$140.00	SD
Evans, Anna Marie	6/28/2012	\$253.11	\$387.66					\$640.77	\$640.77	SD
Handy, Keaven	5/28/2023	\$1,900.00						\$1,900.00	\$1,900.00	SD
Meyer, Mitch	9/20/2020	\$479.20						\$479.20	\$479.20	SD
Moran, Robert Jr and	1/8/2016		\$5,181.16					\$5,181.16	\$5,181.16	SD
Nelson, Steven	1/16/2019	\$1,900.00		\$70.00				\$1,970.00	\$1,970.00	SD
Pachowicz, Memory	3/12/2005		\$250.00					\$250.00	\$250.00	SD
Taylor, Larry	2/6/2023	\$1,800.00	\$630.29	\$80.00				\$2,510.29	\$2,510.29	SD
Vlasek, Timothy	6/24/2022	\$1,900.00						\$1,900.00	\$1,900.00	SD
Waddell, Jasper	2/21/2023	\$1,900.00						\$1,900.00	\$1,900.00	SD
Williams, Byron	5/6/2021		\$920.76					\$920.76	\$920.76	SD
Total								\$26,695.03		

RELEASED PER COMMISSIONERS MEETING MINUTES OF \_\_\_10\_\_\_/\_\_\_19\_\_\_/2023\_\_

SUE GANJE, FALL RIVER COUNTY AUDITOR

All Liens ckd for Real Estate (INO/Grantor/Grantee Screens)  
DOD=DATE OF DEATH  
COP=COUNTY POOR LIEN  
CAA=COURT APPT ATTY  
INM=INMATE MEDICAL EXPS  
BLD=BLOOD DRAW



*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: October 19, 2023

Subj: Commission Update:

1. **Computer Purchase:** Request approval to purchase a new desk computer for Gary Baker. The existing computer is not adequate for all the required functions that he is required to complete. The existing computer could be given to another department for usage. The cost of a new computer is approximately \$1,100 and could be purchased with LEPC funds.
2. **Ardmore Area Repeater:** I have attached the coverage sheets for the Water Tank location and the Eckard Well location. attachments
3. **Fires & Incidents:**
  - a. **10/11/2023:** Smoke Call: Minnekahta Valley area: unfounded. Minnekahta Fire.
  - b. **11/13/2023:** Water Heater exploded: Hot Springs. Hot Springs Fire, Hot Springs Police and Fall River Sheriff.
  - c. **11/15/2023:** Vehicle in River: Fall River Sheriff.
  - d. **11/16/2023:** Electrical smell, Hot Springs: Hot Springs Fire and Hot Springs Police.

A handwritten signature in black ink that reads 'Franklin W. Maynard'.

*Franklin W. Maynard, CEM, CFM*

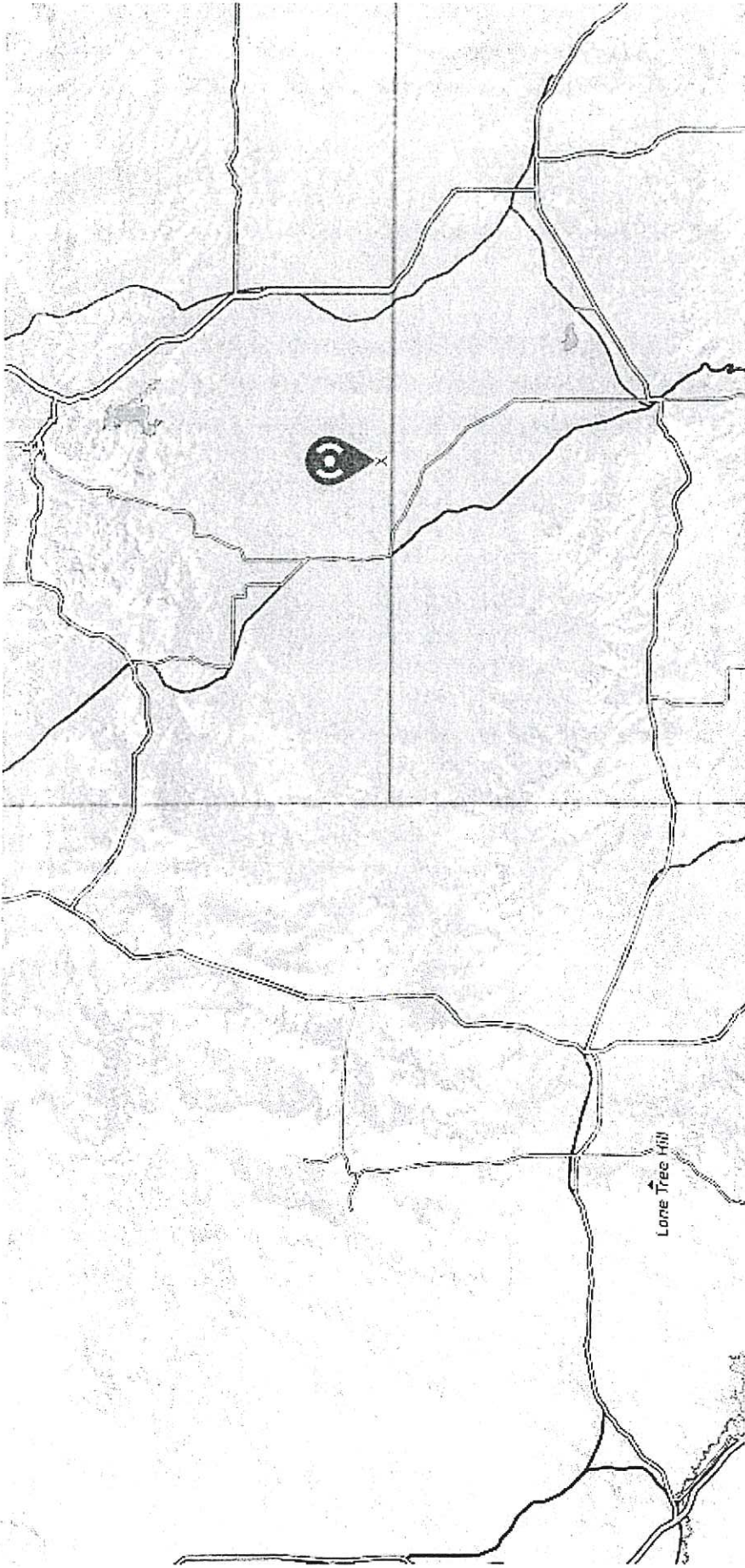
*Emergency Manager*

*Fall River County*

*906 N. River Street*

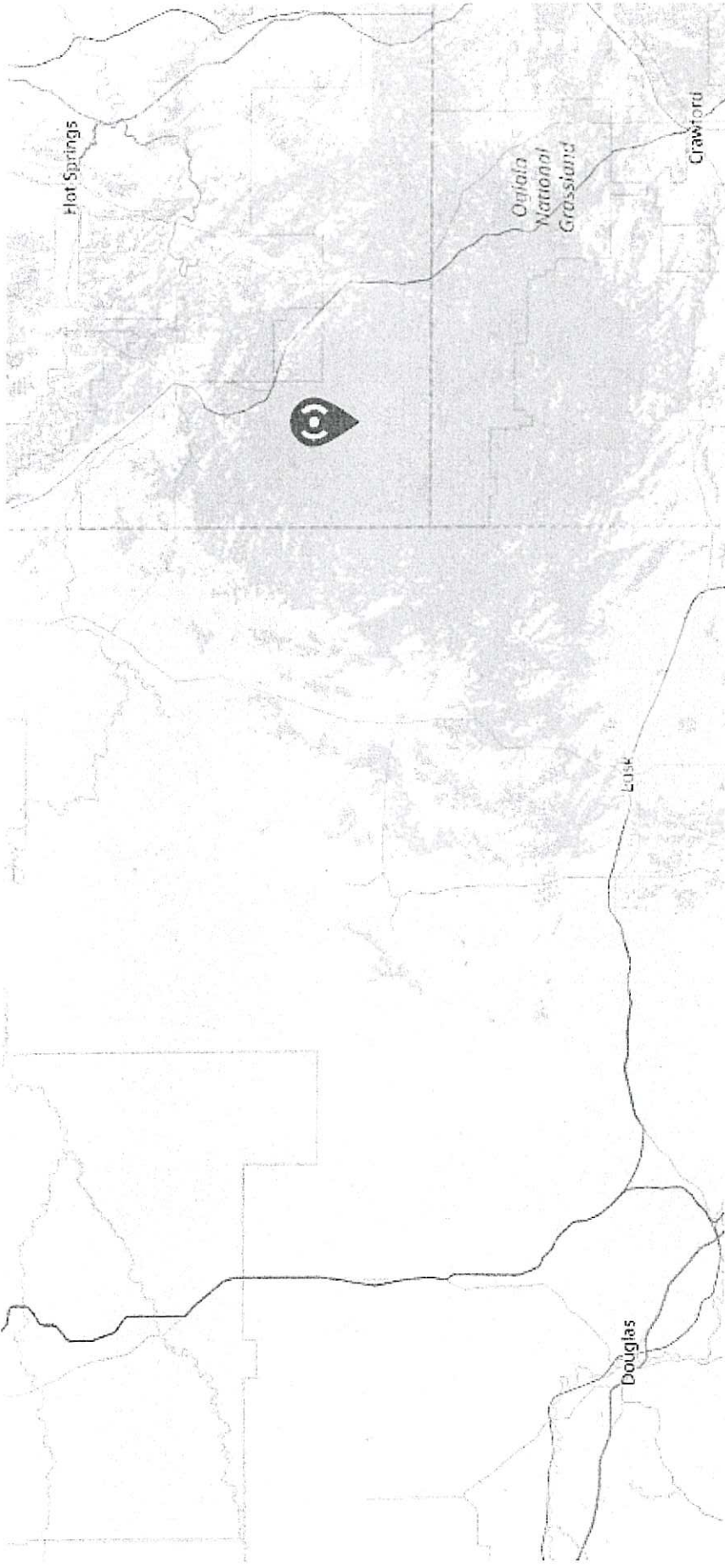
*Hot Springs, SD 57747*





water tank





Eckard Well

10/10/2023

10:30 am

Awarded 

**FAXED BID: 6057454188**

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

**DATE: 10/10/2023**

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

**BID FOR: Approx. 8,000 Gallons DSL#2**

**AMOUNT OF BID: \$3.70/gallon**

**(This bid includes all appropriate taxes and fees)**

**Signed By: Orin Nelson**

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

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

**Thank You**

**EMAIL BID: TODDIBIS@VOLLANOIL.COM**

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

**DATE: 10/10/2023**

**FROM: VOLLAN OIL PHONE: 605-529-5458**

**BID FOR: \_Approx. 8,000 Gallons DYED DSL #2**

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

**Signed By:** NO Bid - NO Reply

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

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

**Thank You**



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

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

**DATE: 10/10/2023**

**FROM: MG OIL PHONE: 605-343-5984**

**BID FOR: Approx. 8,000 Gallons DSL#2**

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

Signed By: No Bid MK-email

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

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

**Thank You**

192

# Fall River County Highway Department

Phone (605) 745-5137

• P.O. Box 939, Hot Springs, South Dakota 57747

RE: Edgemont Letter of Support Workforce Education Grant

To Whom It May Concern:

I am pleased to be writing this letter of support on behalf of the Fall River County Hwy Dept for the Edgemont School District's desire to help continue providing and enhancing opportunities for High School students by purchasing Heavy Equipment Simulators for the CTE program.

Fall River County contain large numbers of farm and ranches being over 1,000 of acres. Fall River County population is 7,258 which contains 22.80% under the age of 18. Having a high percentage of residents under the age of 18 creates the need for getting those that we can provided training and safety of heavy equipment to carry farm and ranching opportunities. Needing to know how to operate heavy equipment is beneficial to maintaining and keeping up the farm and ranch daily tasks. Heavy equipment is needed to handle difficult tasks and unpredictable terrain, which also makes them a great asset on a farm.

Heavy equipment can maneuver the land efficiently, carry items such as livestock feed, and much more. A front-end loader can handle a range of tasks. It can be used to move loose material (such as manure or soil), lift heavy items, create ditches, and even grade the land. Dozers are used heavily in large- and small-scale construction, road building, mining's and quarrying on farms. A farm needs a decent motor grader to help maintain the gravel roads that allow you to get around your land. In remote areas, farm roads can quickly become impassable, following extreme weather events. Fall River County is known to have extreme weather due to much of the county lying in what is known as a banana belt. Graders are very versatile and can also be used for cleaning ditches, building terraces, and levelling the ground in preparation for new structures to be built.

Fall River County does not have a lot of Job Opportunities so being able to provide this training would be beneficial to sticking to the family roots and taking over the family ranch. This is a way of life around this area. Having the skills needed to operate Heavy Equipment would prove beneficial for carrying out the family traditions of farming and ranching in the community and would put these students one step ahead in the farming and ranching industry.

I commend Edgemont School Districts vision to develop a program implementing a high-quality construction program to immerse their students into.

I am happy to have a further discussion regarding my support and can be reached at the Fall River County Hwy Dept (605-745-5137).

Sincerely,

*Randy Seiler*

Randy Seiler

Fall River County Hwy Superintendent

NEWS SOUTH DAKOTA

## Farmers and ranchers taking their property rights into their own hands as South Dakotans First

The property rights coalition is backed by South Dakota Farmers Union, Dakota Rural Action and Landowners for Eminent Domain Reform



Dakota Rural Action member and Madison-area organic farmer Aaron Johnson (center) talks with landowners at the Denny Sanford Conference Center in Sioux Falls during the South Dakotans First press conference on October 12, 2023. Caleb Barber | Mitchell Republic



By **Caleb Barber**

October 12, 2023 at 4:11 PM

Comments

Share

News reporting

**SIOUX FALLS, S.D. —** Farmers and ranchers in South Dakota are coming together to advocate for their right to private property under a new coalition: South Dakotans First.

The organization cited a survey they conducted of 1,037 South Dakota voters, and found that over 80% of that sample oppose eminent domain being used for use by private companies like Summit Carbon Solutions.

South Dakota Farmers Union is one of the main backers of the organization, and the its president, Doug Sombke, said the effort represented by South Dakotans First tracks with those of his organization.

"I think the most important thing is that we have to find a way to get the legislators to agree, both in the Senate and the House, that we want to make personal property rights a thing that is best for the property owner, not necessarily a private company that wants to become rich from the tax dollar," Sombke said.

Dakota Rural Action and Landowners for Eminent Domain Reform are the two other organizations besides SDFU behind the coalition,



its stated goal being “no private company should be able to rob South Dakota landowners of their property rights.”

An organic farmer, a former Lake County commissioner and a member of Dakota Rural Action, Aaron Johnson said he was fortunate enough that the landowner he leases from has denied a request by a pipeline company to plant a pipeline on the land he and his family farm and live on.



Aaron Johnson, who operates an organic farm near Madison, speaks at a press conference for South Dakotans First in Sioux Falls. Caleb Barber | Mitchell Republic

The goal of the organization isn't just to push state lawmakers, but also local governments.

Johnson said he has faced resistance from the Lake County Commission to establishing an ordinance to restrict the placement of hazardous transmission pipelines on private property in the county.

That resistance, he said, is frustrating.

“They’re so quiet about their situation. The staff there has not provided much information to the public, and they don’t want to have public meetings to discuss ordinances,” Johnson said. “I just think that’s the responsibility of our elected officials.”

Minnehaha and Moody counties established ordinances that would limit the ability for private companies to place pipelines transmitting hazardous chemicals through county land. Both counties defended their ordinances during the Public Utilities Commission hearing for Navigator CO2 Ventures' pipeline project application, an application that was ultimately denied by the commission.

Sombke said a group of landowners called him with concerns about the land recently approved for purchase in Lincoln County for the new prison. While Sombke did not specify what South Dakotans First's position was on the land purchase, he said he was looking forward to working face to face with farmers and ranchers to address the unique property rights challenges they are facing.



(<https://www.mitchellrepublic.com/news/south-dakota/neighbors-sick-from-lack-of-communication-on-lincoln-county-prison-site>)

SOUTH DAKOTA([HTTPS://WWW.MITCHELLREPUBLIC.COM/NEWS/SOUTH-DAKOTA](https://www.mitchellrepublic.com/news/south-dakota))

**Neighbors ‘sick’ from lack of communication on Lincoln County prison site(<https://www.mitchellrepublic.com/news/south-dakota/neighbors-sick-from-lack-of-communication-on-lincoln-county-prison-site>)**

The Department of Corrections on Friday bought 320 acres of Lincoln County land for a prison. Neighbors say they weren’t aware of the possibility until the land was already purchased.

Dec 31, 1969 ·

By *Hunter Dunteman*([https://www.mitchellrepublic.com/Hunter Dunteman](https://www.mitchellrepublic.com/Hunter-Dunteman))

“I mean, when are they going to get it that farmers and ranchers and these communities that they’re affecting don’t give a d--- about the money?” Sombke said. “That’s not the point. The point is we want them to listen to us and respect us, period.”

Sombke called on those present to ask their representatives to prioritize legislation that respects individual landowner property rights come next session. Reps. Jon Hansen from Dell Rapids, Karla Lems from Canton, John Sjaarda from Valley Springs and Chris Karr from Sioux Falls were present.

The legislature has been planning for the new women’s prison and the new men’s prison for the past few years, Hansen said, and the speed and lack of transparency with which those decisions are just now being made are a concern.

“I’ve been voting against those appropriations because I didn’t know where the thing was going to go, and I felt like there needed to be a little more transparency about where it was going to be and who it was going to affect,” Hansen said of the purchasing of land in Lincoln County for the men’s prison.

Legislation, introduced by Lems and sponsored by Hansen, Sjaarda and Karr, among others, that would have decategorized carbon dioxide pipelines as common carriers was killed in the South Dakota Senate after passing through the House last March.

No members of the South Dakota State Senate were present at the event.

Comments (#conversations) Share News reporting Tags



By **Caleb Barber**(<https://www.mitchellrepublic.com/caleb-barber>)

Caleb is a Report for America corps member covering rural issues and the South Dakota state legislature for the Mitchell Republic.

Twitter ([https://twitter.com/caleb\\_w\\_barber](https://twitter.com/caleb_w_barber)) LinkedIn (<https://www.linkedin.com/in/https://www.linkedin.com/in/calebwbarber/>)

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## CONVERSATION

FOLLOW

Start the conversation

ALL COMMENTS

NEWEST



Start the conversation

### ACTIVE CONVERSATIONS



Painting the town with happiness: Mitchell artist...

1

([https://www.mitchellrepublic.com/news/local/painting-the-town-with-happiness-mitchell-artist-jessica-callies-brightens-main-street-with-latest-mural?\\_\\_vfz=medium%3Dconversations\\_top\\_pages](https://www.mitchellrepublic.com/news/local/painting-the-town-with-happiness-mitchell-artist-jessica-callies-brightens-main-street-with-latest-mural?__vfz=medium%3Dconversations_top_pages))



Kernel girls thrive in penalty shootout, hold off Aberdeen...

1

([https://www.mitchellrepublic.com/sports/rep/kernel-girls-thrive-in-penalty-shootout-hold-off-aberdeen-to-claim-trip-to-class-a-title-match?\\_\\_vfz=medium%3Dconversations\\_top\\_pages](https://www.mitchellrepublic.com/sports/rep/kernel-girls-thrive-in-penalty-shootout-hold-off-aberdeen-to-claim-trip-to-class-a-title-match?__vfz=medium%3Dconversations_top_pages))

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**FALL RIVER COUNTY RESOLUTION #2023-39**  
**Supplemental Budget 2023, #1**  
**Contingency Transfer 2023, #1**

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to expenditures for October 19, 2023 be approved as follows: General Fund: GIS Signs 10100X4260225, \$177.08 for Recycling Signs; Building Vehicle Maintenance 10100X4271161, \$2,329.00 for Vehicle Insurance; Commissioners Fiscal Audit 10100X4220111, \$12,839.00 for Legislative Audit; Commissioners Other Projects 10100X4262111, \$24,600.00 for SCBA/Fire Dept; Sheriff 10100X4220219, \$19,251.31 for LE Software Zuercher; Care of Poor 10100X4260411, \$600.00 Burials; Weed & Pest 10100X4341615, \$36,614.50 for 50/50 Grant; Intergovernmental Expense 10100X4260750, \$41,630.64 for PILT; Payments to Local Ed Agency 10100X4260850, \$82,254.60 for PILT; Hwy Fund: Hwy Equipment 20100x4340311, \$20,778.95 for Insurance; Payments to Local Ed Agency 20100X4260850, \$6,304.56 for Bankhead Jones; Emergency Management Fund: Emergency Management 22600X4297222, \$26,947.42 for Homeland Security; M & P Fund: Register of Deeds M & P 25000X4250163, \$8,224.00 for Trimin Software; Means of finance to be cash, and

WHEREAS, SDCL 7-21-32.2 provides that the Board of County Commissioners may adopt a transfer appropriation from the contingency budget to other appropriations, which are insufficient, a contingency transfer shall be approved and adopted to the following Departments: Juvenile Care 10100X4272215, \$16,660.00 for Juvenile Care; Domestic Abuse 10100X4291434, \$2,833.00 for Victim's Forensic

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt the Supplemental Budget #1 and Contingency Transfer #1 for 2023.

Dated at Fall River County, South Dakota this 19<sup>th</sup> day of October 2023.

ATTEST:

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

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

**FALL RIVER SUPPLEMENT HEARING #1**

**10/19/2023**

Expenditures

		EXPENSES TO		ACCOUNT		GRANT Description	
DATE	AMOUNT	SUPPLEMENT				Y-N	
9/14/2023	\$ 177.08	10100X4260225	Gis Signs			N	Gis Signs
5/4/2023	\$ 20,778.95	20100X4340311	HWY Equipment			N	Insurance
8/21/2023	\$ 2,329.00	10100X4271161	BLDG Vehicle Maint			N	Insurance
10/16/2023	\$ 12,839.00	10100X4220111	Fiscal Audit			N	was here longer than expected
10/16/2023	\$ 24,600.00	10100X4262111	Other Projects			N	SCBA/Fire Dept
10/16/2023	\$ 19,251.31	10100X4220219	LE Software			N	Zuercher
10/16/2023	\$ 26,947.42	22600X4297222	Emergency Mgt			Y	Homeland Security
10/16/2023	\$ 600.00	10100X4260411	Care of Poor			N	Burials
10/16/2023	\$ 36,614.50	10100X4341615	Weed & Pest			Y	50/50 Grant
10/16/2023	\$ 41,630.64	10100X4260750	Intergovernmental Expense			Y	PILT
10/16/2023	\$ 85,254.60	10100X4260850	Payments to Local Ed Agency			Y	PILT
10/16/2023	\$ 6,304.56	20100X4260850	Payments to Local Ed Agency			Y	Bankhead Jones
10/16/2023	\$ 8,224.00	25000X4250163	Register of Deeds			N	M & P Trimin Software
<b>TOTAL</b>	<b>\$ 285,551.06</b>						

**CONTINGENCY TRANSFERS #1**

10/16/2023	\$ 16,660.00	10100X4272215	Juvenile Care			N	Juvenile Care
10/16/2023	\$ 2,833.00	10100X4291434	Domestic Abuse			N	Victim's Forensic
	<b>\$ 19,493.00</b>						

**CASH TRANSFERS #1**

**Annual Budgeted Transfers**

10/16/2023	\$ 150,000.00	HWY	Cash Transfer as Budgeted
10/16/2023	\$ 189,855.00	Dispatch	Cash Transfer as Budgeted
10/16/2023	\$ 96,002.00	Em Mgt	Cash Transfer as Budgeted
<b>TOTAL</b>	<b>\$ 435,857.00</b>		



2023 Budget-Fall River

September

	Approved Budget		Contingency Transfer Out	Contingency/ Supplement Transfer In	Total Budget with Transfers & Supplements	Year to Date Expenses		2023 % used	Balance
<b>General Fund (10100)</b>									
111 Commissioners	\$129,624.00				\$ 129,624.00	\$ 140,261.52	108%	-\$10,637.52	
120 Elections	\$38,639.00				\$ 38,639.00	\$ 20,534.28	53%	\$18,104.72	
130 Judicial System	\$10,000.00				\$ 10,000.00	\$ 6,040.12	60%	\$3,959.88	
141 Auditor	\$320,823.00				\$ 320,823.00	\$ 246,207.32	77%	\$74,615.68	
142 Treasurer	\$314,865.00				\$ 314,865.00	\$ 229,988.01	73%	\$84,876.99	
151 States Atty	\$250,558.00				\$ 250,558.00	\$ 199,683.31	80%	\$50,874.69	
153 Crt Appt'd Attorney	\$190,000.00				\$ 190,000.00	\$ 144,733.54	76%	\$45,266.46	
154 Abuse & Neglect	\$20,000.00				\$ 20,000.00	\$ 17,348.58	87%	\$2,651.42	
158 Rural Atty Recruitment	\$4,380.00				\$ 4,380.00	\$ 4,379.76	100%	\$0.24	
159 CASA	\$1,585.00				\$ 1,585.00	\$ 1,585.00	100%	\$0.00	
161 General Bdlg	\$305,806.00				\$ 305,806.00	\$ 229,574.91	75%	\$76,231.09	
162 Dir of Equal	\$340,962.00				\$ 340,962.00	\$ 241,573.13	71%	\$99,388.87	
163 Reg of Deeds	\$202,218.00				\$ 202,218.00	\$ 142,416.96	70%	\$59,801.04	
165 Vet Svc Officer	\$65,500.00				\$ 65,500.00	\$ 48,187.55	74%	\$17,312.45	
166 Predator Animal	\$4,182.00				\$ 4,182.00	\$ 2,090.93	50%	\$2,091.07	
170 GIS	\$78,179.00				\$ 78,179.00	\$ 62,474.34	80%	\$15,704.66	
171 Information Technology	\$151,200.00				\$ 151,200.00	\$ 128,548.63	85%	\$22,651.37	
<b>Total General Government</b>	<b>\$ 2,428,521.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,428,521.00</b>	<b>\$ 1,865,627.89</b>	<b>77%</b>	<b>\$562,893.11</b>	
211 Sheriff	\$753,718.00				\$ 753,718.00	\$ 686,793.53	91%	\$66,924.47	
212 Jail	\$845,926.00				\$ 845,926.00	\$ 661,903.50	78%	\$184,022.50	
213 Coroner	\$26,425.00				\$ 26,425.00	\$ 12,552.99	48%	\$13,872.01	
215 Juvenile Detention	\$10,000.00				\$ 10,000.00	\$ 26,660.00	267%	-\$16,660.00	
216 Airplane	\$5,500.00				\$ 5,500.00	\$ 4,989.08	91%	\$510.92	
219 LE Software	\$0.00				\$ -	\$ 19,251.31	0%	-\$19,251.31	
224 Search & Rescue	\$1,300.00				\$ 1,300.00	\$ 738.94	57%	\$561.06	
225 911 Sign Replacement	\$7,000.00				\$ 7,000.00	\$ 2,136.40	31%	\$4,863.60	
<b>Total Public Safety</b>	<b>\$ 1,649,869.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,649,869.00</b>	<b>\$ 1,415,025.75</b>	<b>86%</b>	<b>\$234,843.25</b>	
411 County Poor	\$5,000.00				\$ 5,000.00	\$ 5,600.00	112%	-\$600.00	
421 County Nurse	\$74,281.00				\$ 74,281.00	\$ 37,032.49	50%	\$37,248.51	
433 Care of Aged	\$19,300.00				\$ 19,300.00	\$ 19,300.00	100%	\$0.00	
434 Victim - Forensic	\$0.00				\$ -	\$ 2,832.62	0%	-\$2,832.62	
437 Edgemont YMCA	\$3,000.00				\$ 3,000.00	\$ 3,000.00	100%	\$0.00	
438 2-1-1 Helpline	\$1,500.00				\$ 1,500.00	\$ -	0%	\$1,500.00	
439 Boys & Girls Club	\$10,000.00				\$ 10,000.00	\$ 10,000.00	100%	\$0.00	
441 Mentally ill	\$20,000.00				\$ 20,000.00	\$ 10,843.25	54%	\$9,156.75	



	Approved Budget		Contingency Transfer Out		Contingency/ Supplement Transfer In	Total Budget with Transfers & Supplements	Year to Date Expenses		2023 % used	Balance
<b>General Fund (10100)</b>										
443 Addiction Recovery	\$14,000.00					\$ 14,000.00	\$ 367.14	3%	\$13,632.86	
444 Mental Health Center	\$7,500.00					\$ 7,500.00	\$ 7,500.00	100%	\$0.00	
445 Mental Health Board	\$30,000.00					\$ 30,000.00	\$ 19,504.23	65%	\$10,495.77	
<b>Total Health &amp; Welfare</b>	<b>\$ 184,581.00</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 184,581.00</b>	<b>\$ 115,979.73</b>	<b>63%</b>	<b>\$68,601.27</b>	
511 Library	\$29,000.00					\$ 29,000.00	\$ 29,000.00	100%	\$0.00	
512 Historical Museum	\$6,000.00					\$ 6,000.00	\$ 6,000.00	100%	\$0.00	
524 4-H Leaders	\$3,000.00					\$ 3,000.00	\$ 3,000.00	100%	\$0.00	
525 Edgemont Sr Citizen	\$3,100.00					\$ 3,100.00	\$ 3,100.00	100%	\$0.00	
526 Hot Spgs Sr Citizen	\$5,000.00					\$ 5,000.00	\$ 5,000.00	100%	\$0.00	
<b>Total Culture &amp; Recreation</b>	<b>\$ 46,100.00</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 46,100.00</b>	<b>\$ 46,100.00</b>	<b>100%</b>	<b>\$0.00</b>	
611 County Extension	\$65,865.00					\$ 65,865.00	\$45,293.48	69%	\$20,571.52	
612 Soil Conservation	\$20,000.00					\$ 20,000.00	\$20,000.00	100%	\$0.00	
615 Weed Control	\$148,842.00					\$ 148,842.00	\$138,844.26	93%	\$9,997.74	
<b>Total Conservation/Nat'l Resource</b>	<b>\$ 234,707.00</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 234,707.00</b>	<b>\$ 204,137.74</b>	<b>87%</b>	<b>\$ 30,569.26</b>	
720 BHCLG	\$3,495.00					\$ 3,495.00	\$ 3,495.00	100%	\$0.00	
721 County Economic Develop	\$10,000.00					\$ 10,000.00	\$ 10,000.00	100%	\$0.00	
<b>Total Urban &amp; Economic Devel.</b>	<b>\$ 13,495.00</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 13,495.00</b>	<b>\$ 13,495.00</b>	<b>100%</b>	<b>\$0.00</b>	
750 pymt to Local Agencies						\$ -	\$ 41,630.64		-\$41,630.64	
850 pymt to Local Agencies						\$ -	\$ 85,254.60		-\$85,254.60	
<b>Total</b>	<b>\$ -</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ 126,885.24</b>		<b>-\$126,885.24</b>	
911 Transfers Out from Gen.:										
Highway	\$ 150,000.00					\$ 150,000.00		0%	\$150,000.00	
Dispatch/911	\$189,855.00					\$ 189,855.00		0%	\$189,855.00	
Library	\$22,417.00					\$ 22,417.00		0%	\$22,417.00	
Domestic Abuse	\$5,450.00					\$ 5,450.00		0%	\$5,450.00	
Emergency Mgt	\$96,002.00					\$ 96,002.00		0%	\$96,002.00	
<b>Total 911 out</b>	<b>\$ 463,724.00</b>		<b>\$ -</b>		<b>\$ -</b>	<b>\$ 463,724.00</b>	<b>\$ -</b>	<b>0%</b>	<b>\$463,724.00</b>	

	Approved Budget		Contingency Transfer Out	Contingency/ Supplement Transfer In	Total Budget with Transfers & Supplements	Year to Date Expenses	2023 % used	Balance
General Fund (10100)								
Total Gen Fund Expenditures	\$ 5,020,997.00	\$ -	\$ -	\$ -	\$ 5,020,997.00	\$ 3,787,251.35	75%	\$1,233,745.65
Other Funds (Dept-Fund)								
161 Fund 30100	\$ 75,000.00				\$ 75,000.00	\$ 18,570.34	25%	\$56,429.66
Total General Govmnt.	\$ 75,000.00	\$ -	\$ -	\$ -	\$ 75,000.00	\$ 18,570.34	25%	\$56,429.66
221 Fund 21100 Fire	\$ 5,000.00				\$ 5,000.00	\$ 253.93	5%	\$4,746.07
225 Fund 20700 911 surcharge	\$ 514,710.00				\$ 514,710.00	\$ 288,064.84	56%	\$226,645.16
248 24/7 Fund	\$ 35,630.00				\$ 35,630.00	\$ 27,346.00	77%	\$8,284.00
Total Public Safety	\$ 555,340.00	\$ -	\$ -	\$ -	\$ 555,340.00	\$ 315,664.77	57%	\$ 239,675.23
310 Fund 20100 Hwy	\$ 173,584.00				\$ 173,584.00	\$ 129,085.71	74%	\$44,498.29
311 Fund 20100 Hwy	\$ 2,226,490.00				\$ 2,226,490.00	\$ 1,590,356.59	71%	\$636,133.41
850 Pymt to Local Agencies	\$ -				\$ -			\$0.00
Total Public Works	\$ 2,400,074.00	\$ -	\$ -	\$ -	\$ 2,400,074.00	\$ 1,719,442.30	72%	\$680,631.70
M & P Fund 22500	\$ 15,400.00				\$ 15,400.00	\$ 23,624.00	153%	-\$8,224.00
222 Fund 226 Emer Mgt	\$ 132,002.00				\$ 132,002.00	\$ 137,495.95	104%	-\$5,493.95
225 Fund 216 Title III	\$ -				\$ -	\$ -		\$0.00
Total Public Safety	\$ 147,402.00	\$ -	\$ -	\$ -	\$ 147,402.00	\$ 161,119.95	109%	-\$13,717.95
434 Fund 229 Dom Abuse	\$ 7,000.00				\$ 7,000.00	\$ 7,000.00	100%	\$0.00
Total Health & Welfare	\$ 7,000.00	\$ -	\$ -	\$ -	\$ 7,000.00	\$ 7,000.00	100%	\$0.00
Total without Contingency Transfers Out	\$ 8,205,813.00	\$ -	\$ -	\$ -	\$ 8,205,813.00	\$ 6,009,048.71	73%	\$2,196,764.29
Contingency Balance	\$150,000.00							\$150,000.00
Total Remaining	\$ 8,355,813.00	\$ -	\$ -	\$ -	\$ 8,355,813.00	\$ 6,009,048.71	72%	\$2,346,764.29



August 21, 2023

Dear Fall River County Commissioners, Joe, Les, Joe, Heath and Deb:

First, I'd like to thank you for doing the work you do on behalf of the county residents. It can't be easy.

In lieu of attending a meeting, I am sending this letter with photos to apprise you about "developments" that are going on in the county. Little pieces of land are havens for those who want housing but do not want to abide by the laws. Although there are state laws against what they are doing—not having septic systems—it is apparent that no one is enforcing the laws. Here is a problem that is going on in the unincorporated town of Oral, right next to Sand Creek, where a group of trailer houses have been accumulating over the past five years.

From Stacey Martin, FRC GIS, "Tara Ghost requested an address on May 29th 2018. The assessor reviewed the site and recorded the mobile home there on December 6th, 2018. (At least they recorded their notes on Dec 6th.)" That trailer is at 116 First Street, which is the main street through town. In other words, the county knows about the trailers.

**CHAPTER 74:53:01, INDIVIDUAL AND SMALL ON-SITE WASTEWATER SYSTEMS**  
**74:53:01:12. Wastewater not allowed to surface on ground or enter state waters**

After a year of no septic system being installed, in December 2019 I filled out a confidential complaint form with the DANR, and included photos. After a few months, I contacted them again and was told that someone from DANR had gone to the property and no one was at home. From what DANR told me, that was all they did.

Besides the creek flowing near to the trailers, the area has also flooded. The last time was June 4, 2015. (See photo). Although this photo doesn't show it clearly, a good deal of flood waters spilled onto the land where the trailers now sit. Stacey Martin, FRC GIS, shows that these lots are in the flood plain.

In September 2022 while I was in Pierre for a meeting, I went and talked to DANR about the trailers in Oral as well as a couple of other concerns. While there, I called Stacey Martin and handed the phone to DANR so they could talk directly to her about land ownership.

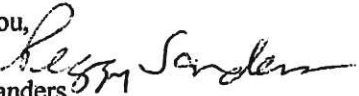
In February 2023, I received a copy of a letter that DANR sent to other individuals advising me that the other concerns I had, were addressed. Part of that letter reads: "You are responsible for contacting your planning and zoning office to determine if there are any local ordinances or requirements with which you need to comply." But there was nothing about the trailers in Oral in that correspondence.

As you know, Fall River County has no planning and zoning office. The county website does give a great deal of guidance.

Here we are in August 2023 and there are more trailers moved in at 112 First Street, as well as small trailers that have no 911 address. (See photos). There have not been any septic systems installed. The lots are not owned by the trailer owners, but are shown to belong to Christopher Jennings. Who is responsible for installing septic, the land owner or the lessors?

My overall concern is that Fall River County is ripe for more of this and people are walking all over the county. The county relies on state law and the state relies on county zoning—which we don't have.

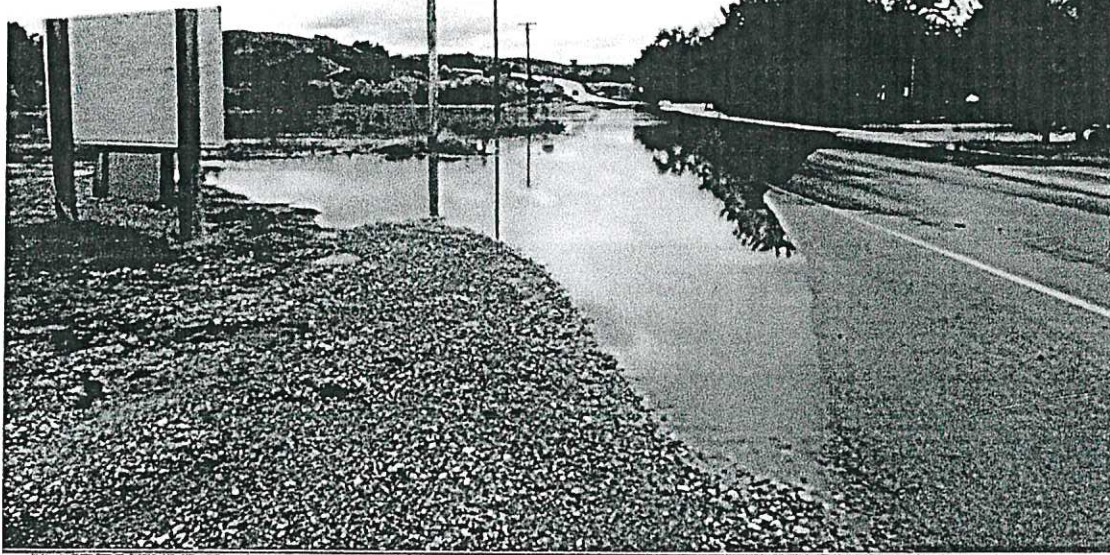
Thank you,

  
Peggy Sanders  
14331 East Oral Road  
Oral, SD 57766  
605-891-3044

CC: Sue Ganje, Lance Russell



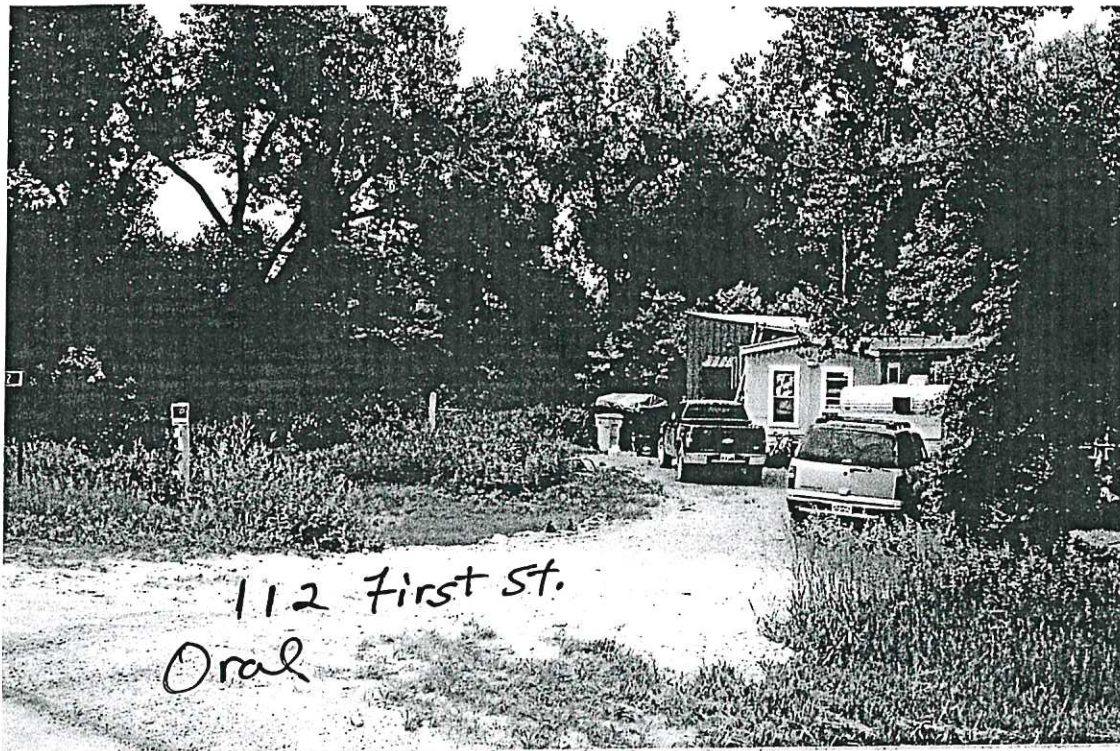
June 4, 2015



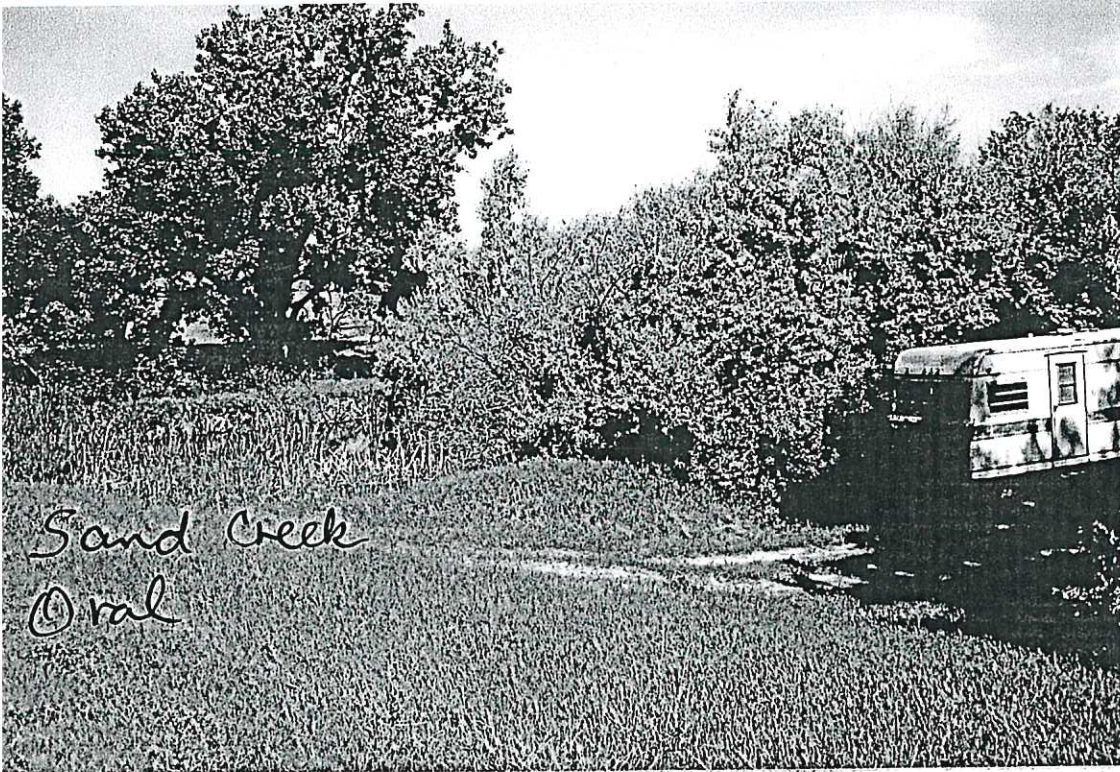
112 First St.  
+campers

Oral





112 First St.  
Oral



Sand Creek  
Oral





116 First St.  
Oral





**RANGEVIEWS**  
**PEGGY SANDERS**  
**ORAL, S.D.**

# A few rules for rural living

**W** ISIWYG, that's old computer talk for what you see is what you get. In practical terms that means if you buy property, the road conditions on the day of your purchase should be expected to remain the same. When you get a house or raw piece of land that is accessed via a gravel road that produces dust, don't expect it to change. With dust you have visibility challenges which means you will need to drive slower when following another vehicle, so you can see. Your auto will be dirty. If your residence is close to the road, dust will filter into the home. Realize this before you sign on the dotted line, and decide if it's something you can live with. If you buy with the attitude that I'll make them black top the road once I move in, you will be in for a rude awakening.

Once you leave the county road system and enter your property, you will be responsible for road maintenance, come snow or mud or potholes. Know your soil. If it's gumbo, you might not be able to get out of your place for a day or more due to severe mud, ditto with snow. You need to be prepared to either hire snow removal (and don't wait until the first snowfall to find a person to provide the service), or buy your own equipment and learn how to run it. Areas with road districts have their own guidelines for maintaining a road.

The most important word that needs to be drilled into your head is **RESPONSIBILITY**. You wanted to move out from the city or town where services are provided and residents rarely have to think about them. Suddenly, it's an entirely different scenario when you live in the country. If the sewer backs up, it's up to you to hire a company to come and trouble shoot the problem, pump the septic tank or put in a new septic system. It's the same story with water if you have a private well. It is your problem and your dollars that will be needed to rectify the situation. When good internet or cell phone service is important to you, it is up to you to determine, before you build your house, that what is available will suit your needs. Don't take anyone else's word on it.

Become part of the community. Join the fire department, volunteer at the local museum or other worthwhile entity, get involved in a church, and get to know your neighbors. Wave when you meet a vehicle, whether you know the driver or not. It's the neighborly thing to do and if you have city people come to visit, it will baffle them.

Rural life is not the same as you had just in a different geographical location — it is a new start with opportunities. ❖



The Office of the State's Attorney  
Fall River and Oglala Lakota Counties

Lance S. Russell

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906 North River Street, Suite 301 Hot Springs, SD 57747 Phone: (605) 745-3866 Facsimile: (605) 745-3855 sa.circuit@frcounty.org

October 13, 2023

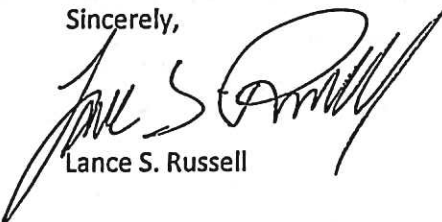
Neal Konda, PE  
Natural Resources Engineer  
Livestock Services Program  
Joe Foss Building  
523 E. Capitol Ave.  
Pierre, SD 57501

Re: Septic System Complaint Inspection at 112 and 116 First Street, Oral, South Dakota

Dear Neal:

I recently received a copy of your letter addressed to Tara Ghost and Christopher Jennings that was dated March 28, 2023, which is attached hereto. I would like an updated status on the progress of this matter. If no progress has been made to remedy the situation, I would like written confirmation of that fact, as I would be interested in filing criminal and/or civil charges pursuant to SDCL Chapter 34A-2 and the public nuisance statutes. Also, in the future, if you are investigating these type of offenses in Fall River County, I would greatly appreciate being informed of your investigations and progress, as I am very interested in assisting your efforts in any way possible.

Sincerely,

  
Lance S. Russell

cc: Hunter Roberts, Secretary  
Fall River County Commissioners





DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 E CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

*Fall River County States Attorney*

CERTIFIED MAIL

RECEIVED

March 28, 2023

Tara Ghost  
116 First Street  
Oral, SD 57775

Christopher Jennings  
13390 S Heartland Rd 3  
Hot Springs, SD 57747

RE: Septic System Complaint Inspection  
112 and 116 First Street, Oral, SD

Dear Ms. Ghost and Mr. Jennings:

The purpose of this letter is to follow-up on the inspection conducted by Neal Konda and Abraham Waldner on March 1, 2023. The inspection was conducted to investigate a complaint indicating the properties do not have appropriate onsite wastewater systems and that any system would be in the floodplain.

During the inspection, the department met with William Smith, who indicated he had installed the systems that were in place to service the properties. Mr. Smith provided information for both installations that included directly piping gray water out of the homes and directing black water to 250-gallon tanks buried adjacent to each trailer. Mr. Smith also indicated that a well was installed near the southwest corner of the west trailer which services both homes. There was no visible riser or wellhead observed and it was indicated that the entire well is below grade. Based on the department's observations and the information provided by Mr. Smith the systems do not meet the minimum requirements of the Administrative Rules of South Dakota (ARSD) 74:53:01.

The department is requiring you to hire a certified installer to replace the current systems. Note that due to the floodplain, it is likely the only system that may be installed in this area will be a holding tank which will require regular maintenance. Any tank will need to be placed such that the tank lid elevation is above the floodplain elevation. Appropriate setbacks to the onsite well must also be met.

By May 1, 2023, the department is requiring you to hire a certified installer to submit plans and specifications to the department for a system to service the trailer homes. Upon approval of plans and specifications by the department you must complete installation within 30 days.

Tara Ghost / Christopher Jennings  
March 28, 2023  
Page 2 of 2

If you have any questions regarding this letter or the inspection, please feel free to contact me at (605) 773-4647.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neal Konda', written in a cursive style.

Neal Konda, PE  
Natural Resources Engineer  
Livestock Services Program

cc: Susie Hayes, Fall River County Director of Equalization

Enclosures



# SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES

## INDIVIDUAL AND SMALL ON-SITE WASTEWATER SYSTEM COMPLAINT INSPECTION REPORT

*Fall River County States Attorney*

### Preliminary Information:

**Owner:** Tara Ghost (structures)  
**Address:** 116 First Street, Oral, SD 57766  
**Phone Number:** (605) 440-7585

**RECEIVED**

**Owner:** Christopher Jennings (property)  
**Address:** 13390 S Heartland Rd 3  
Hot Springs, SD 57747  
**Phone Number:** (605) 593-1372

**Inspection Date:** March 1, 2023  
**Department Inspectors:** Neal Konda / Abraham Waldner

**Location:** 112 and 116 First Street, Oral SD  
**Lot Size:** 22,500 Square Feet

### Description of Inspection:

In response to a written complaint alleging the properties do not have appropriate onsite wastewater systems and that any system would be in the floodplain of Sand Creek, the department conducted an inspection of the property. Photos from the inspection can be found in Attachment A. An aerial view of the property can be found in Attachment B.

### Inspection Findings:

The department met with Tara Ghost and William Smith at the east trailer (116 First Street). Mr. Smith indicated he would show us the systems that were installed to service the trailers. It was indicated that he had installed the systems and that the systems are separated into black and grey water systems.

For the east trailer, the system consists of a grey water pipe that runs north from the northwest corner of the trailer to the north property line and outlets at the fenceline. No tanks or controls exist for the grey water system. The black water system drains to what is described as a 250-gallon tank off the northwest corner of the trailer. A soft area was observed immediately around the visible tank lid but no free water was observed. It was indicated that this system had been in place for about two years.

Tara Ghost / Christopher Jennings  
March 1, 2023, Inspection Report

For the west trailer, the system consists of a grey water pipe that runs north from the center of the north end of the trailer to within a few feet of the north property line. No tanks or controls exist for the grey water system. The black water system drains to what is described as a 250-gallon tank off the northeast corner of the trailer. A soft area was observed immediately adjacent to the area where the piping becomes buried. A tank lid was not observable. It was indicated that the west system had been in place for approximately three months.

Mr. Smith indicated that an onsite well supplied water to both trailers. It was indicated that the well was located off the southwest corner of the west trailer. No visible wellhead was observed. Mr. Smith indicated the well was completely buried with the pump servicing the trailers just east of the west trailer.

#### **In Office Follow Up:**

Review of FEMA flood maps show nearly the entire property is in the flood plain of Sand Creek. Only a small portion in the extreme northeast corner of the east lot lies outside of the floodplain. It is unlikely the area is large enough to support an absorption system as it is unlikely that setback distances to the property line and home can be met.

#### **Conclusions:**

Based on the observations in the field, the systems do not meet the minimum requirements of the Administrative Rules of South Dakota chapter 74:53:01. No part of the systems meet prevailing requirements for tank size, absorption system size, or wastewater component separation distances. Mr. Smith is not a certified installer and should not be installing onsite wastewater systems until such time he is certified.

Information regarding the onsite well has been turned over to the department's water right group for follow up.

#### **Requirements:**

Based on the inspection findings, the department is requiring the following:

- By May 1, 2023, hire a certified installer to submit plans and specifications to the department. Note that due to the site location a limited number of options are available. It is likely that the only system that will be approvable will be a holding tank which will necessitate regular maintenance.
- Complete installation within 30 days of the department approving plans and specifications for the onsite wastewater system.



# Attachment A



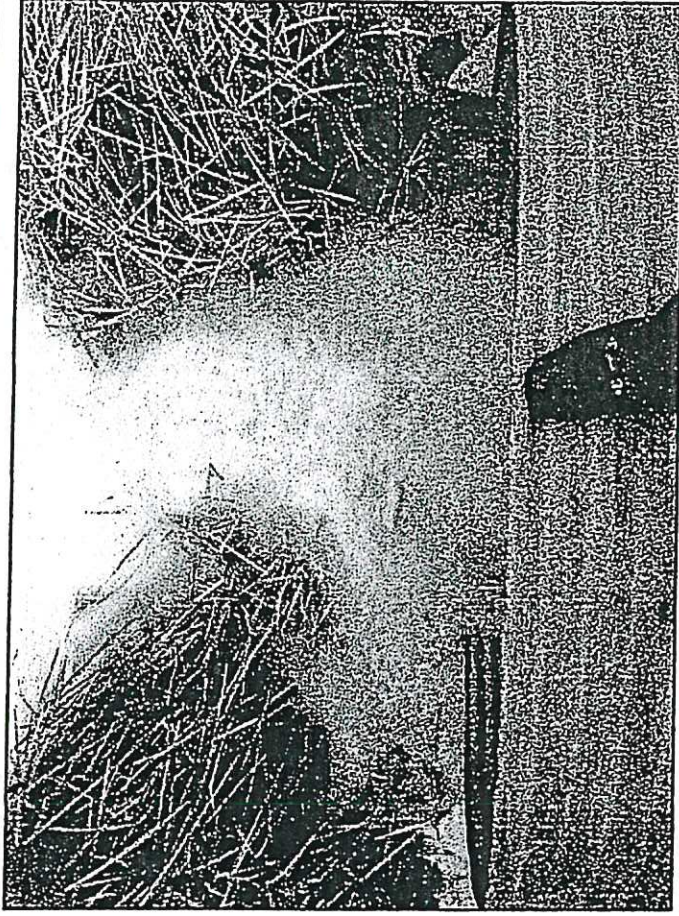
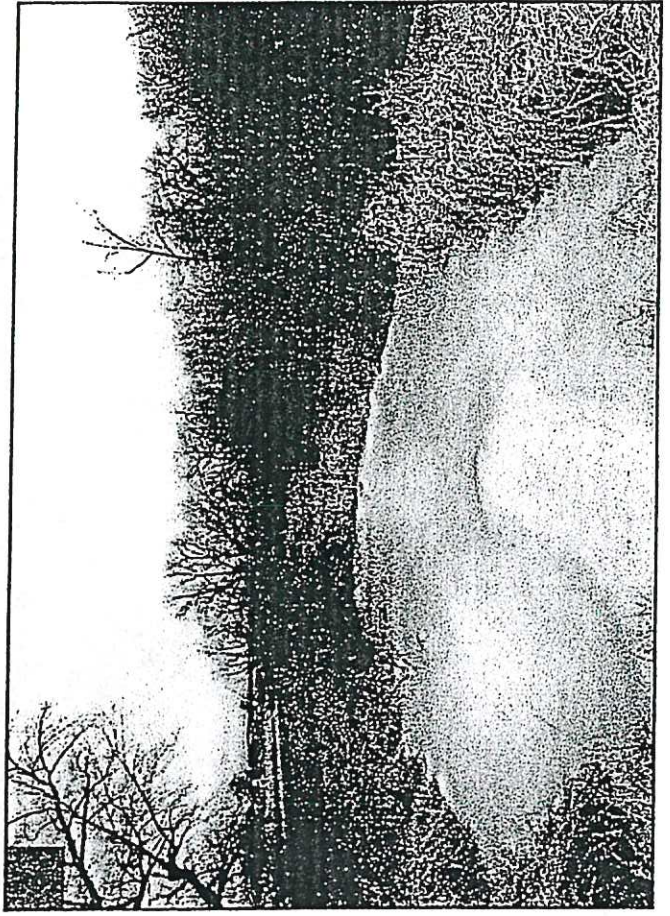


Photo 1 – South (upstream) end of the culvert west of the properties. Sand Creek was flowing at the time of the inspection

Photos 2 and 3 – North end of the culvert and pool on the north side of the road. The complaint property is approximately 180 feet east of the culvert.





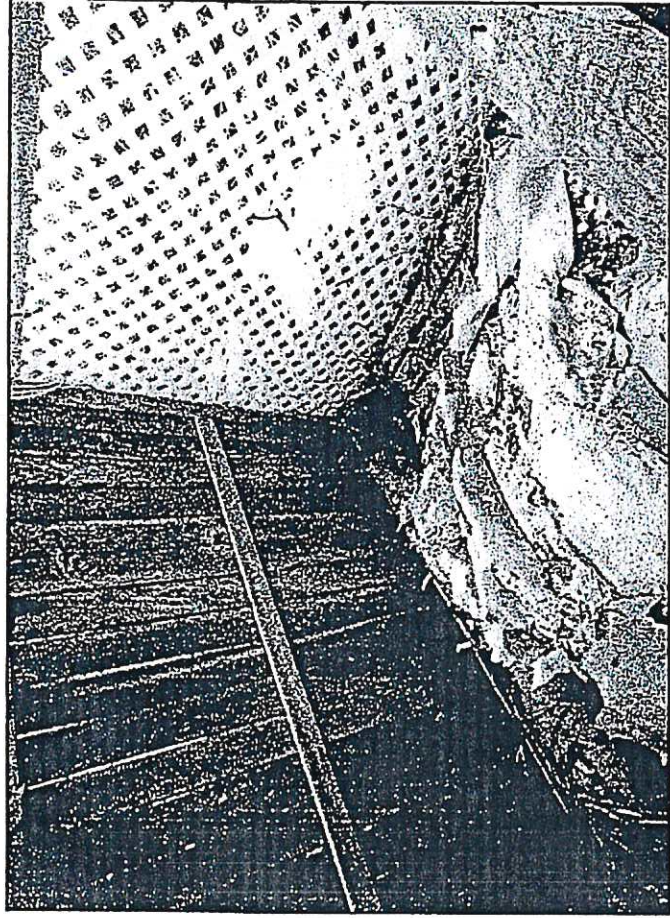
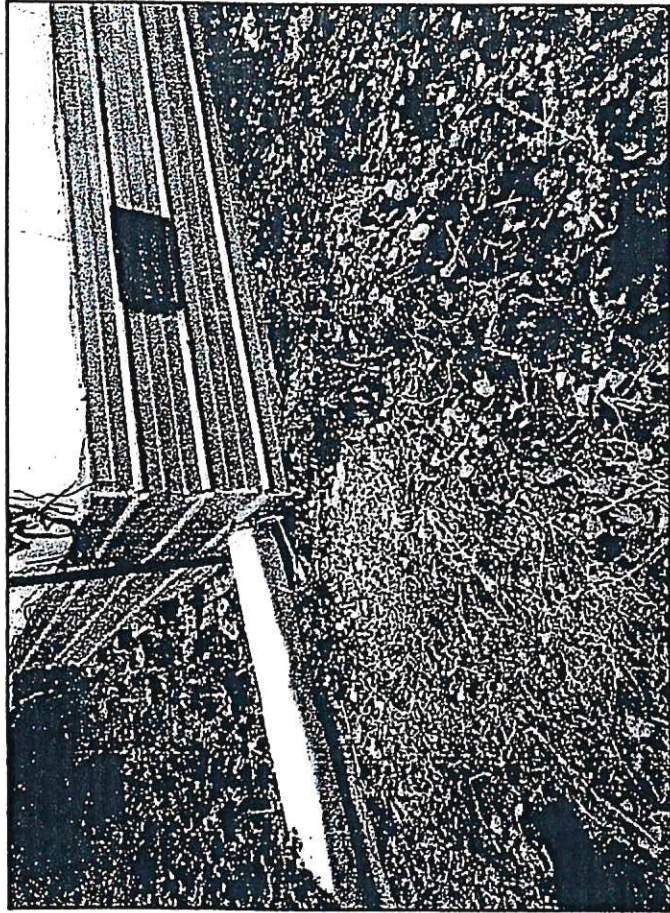
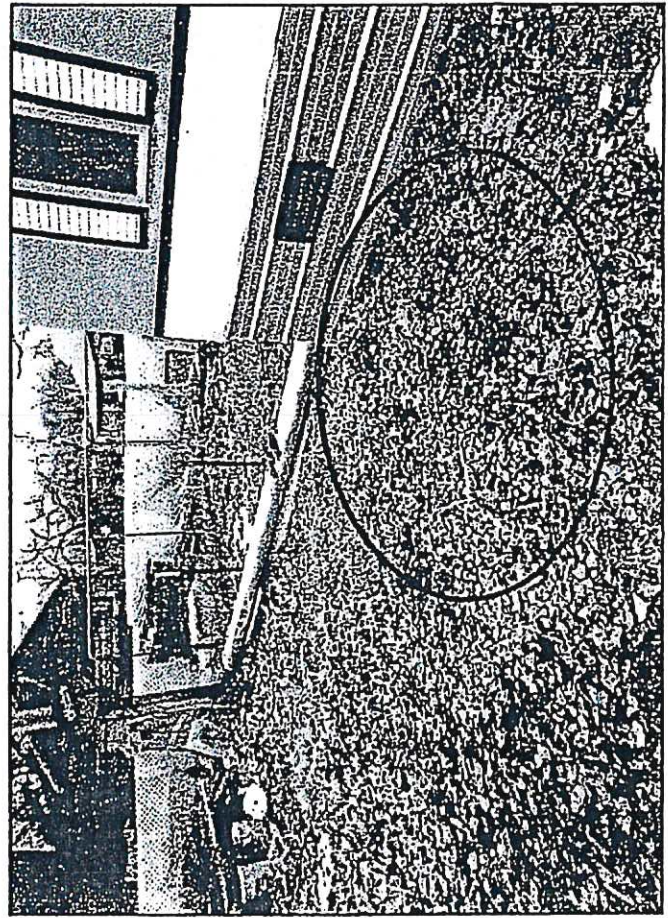


Photo 4 – Looking east at the northwest corner of the east trailer. The pipe shown in the photo was identified as a grey water pipe.

Photo 5 – Outlet end of the grey water pipe. It was indicated that the north property line is the white fence.

Photo 6 – Looking northeast at the full run of the grey water pipe. Area described as the septic tank and absorption area is circled in the photo (east trailer).





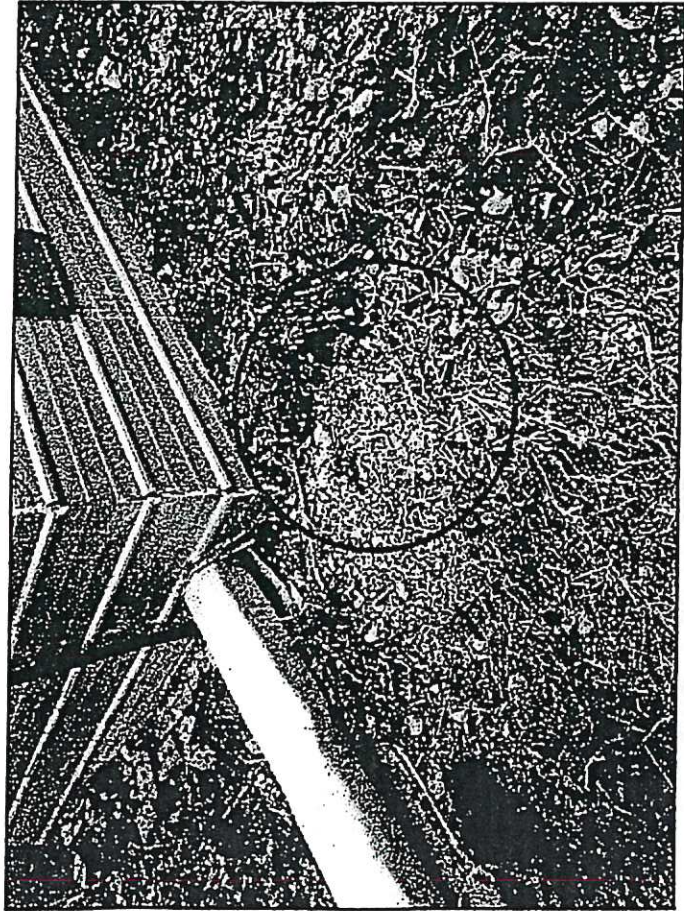
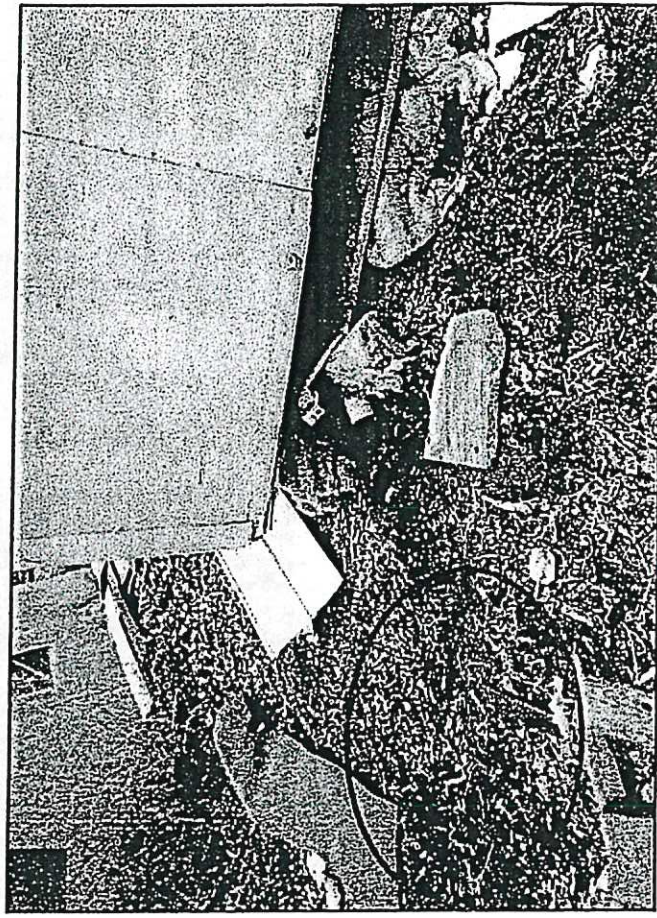
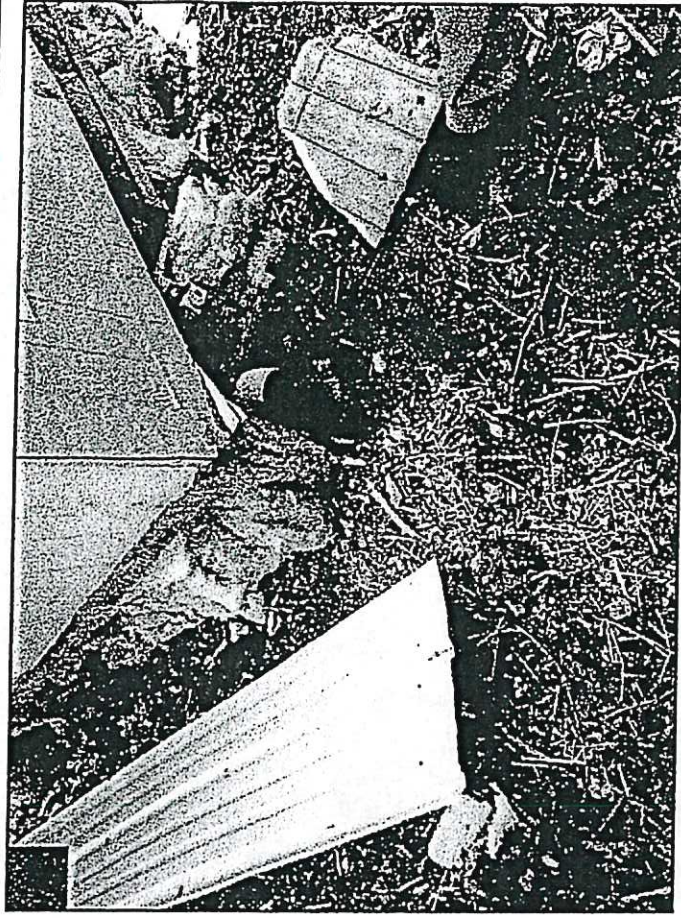


Photo 7 – Concrete plug lid that was described as the septic tank lid (east trailer).

Photo 8 – Looking southwest at the northeast corner of the west trailer. The pipe shown in the photos was identified as the black water pipe flowing northeast a short way to a tank and absorption area.

Photo 9 – Looking at the northeast corner of the west trailer. The area described as the location of the septic tank and absorption area is circled in the photo.





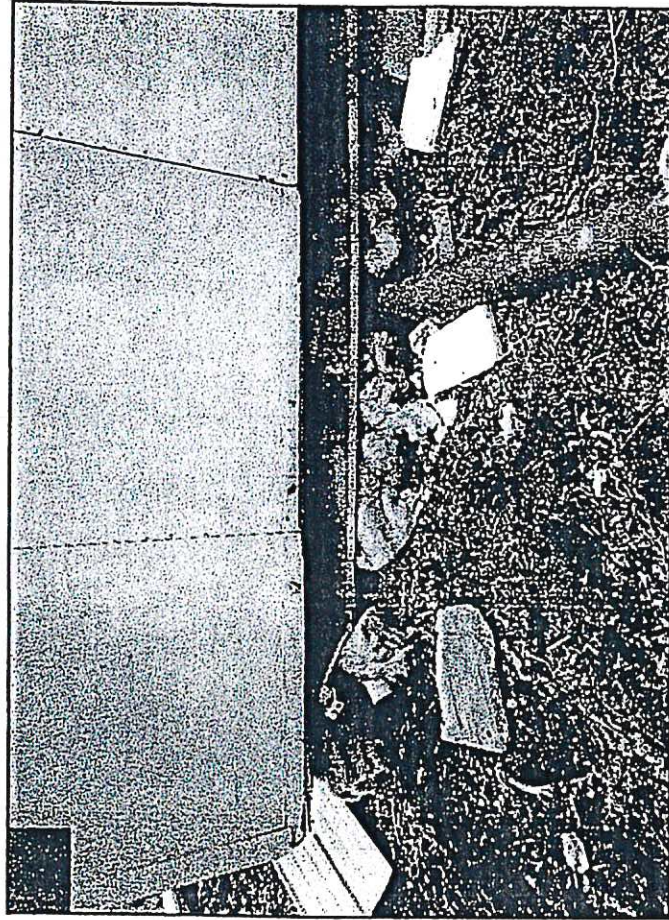
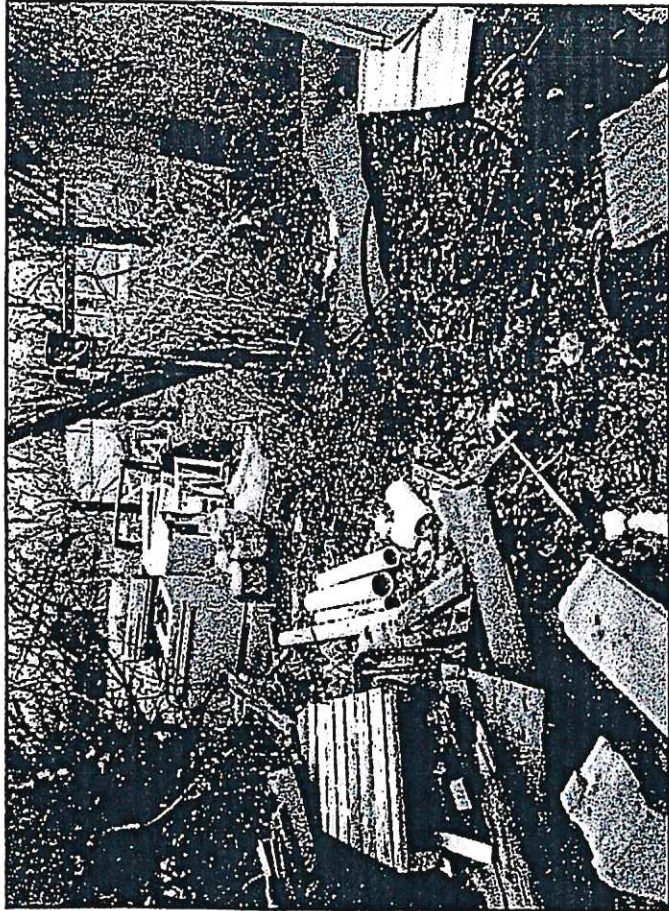


Photo 10 – Looking east at the general location of the septic tank and absorption system (west trailer).  
Photo 11 – Grey water piping from the west trailer.  
Photo 12 – Outlet of the grey water piping near what was described as the north property line (west trailer).





## Attachment B



# Attachment B



Bing Map imagery, retrieved 3/27/23.

All locations approximate.



Fall River &  
Oglala Lakota County  
State's Attorney Office  
906 N. River St, Ste 301  
Hot Springs, SD 57747

Hunter Roberts, Secretary  
DANR  
Joe Foss Building  
523 E Capitol Ave  
Pierre, SD 57501-3182

Fall River &  
Oglala Lakota County  
State's Attorney Office  
906 N. River St, Ste 301  
Hot Springs, SD 57747

Neal Konda, PE  
Natural Resources Engineer  
Livestock Services Program  
Joe Foss Building  
523 E. Capitol Ave.  
Pierre, SD 57501



FALL RIVER COUNTY RESOLUTION #2023-\_\_\_\_\_

**GWTC TRACT 1, LOCATED IN THE SE1/4NE1/4SW1/4 OF SECTION 16, T8S, R5E,  
BHM, FALL RIVER COUNTY, SOUTH DAKOTA**

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

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

Dated this 19<sup>th</sup> day of October, 2023.

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

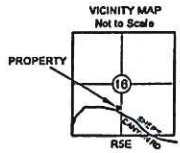
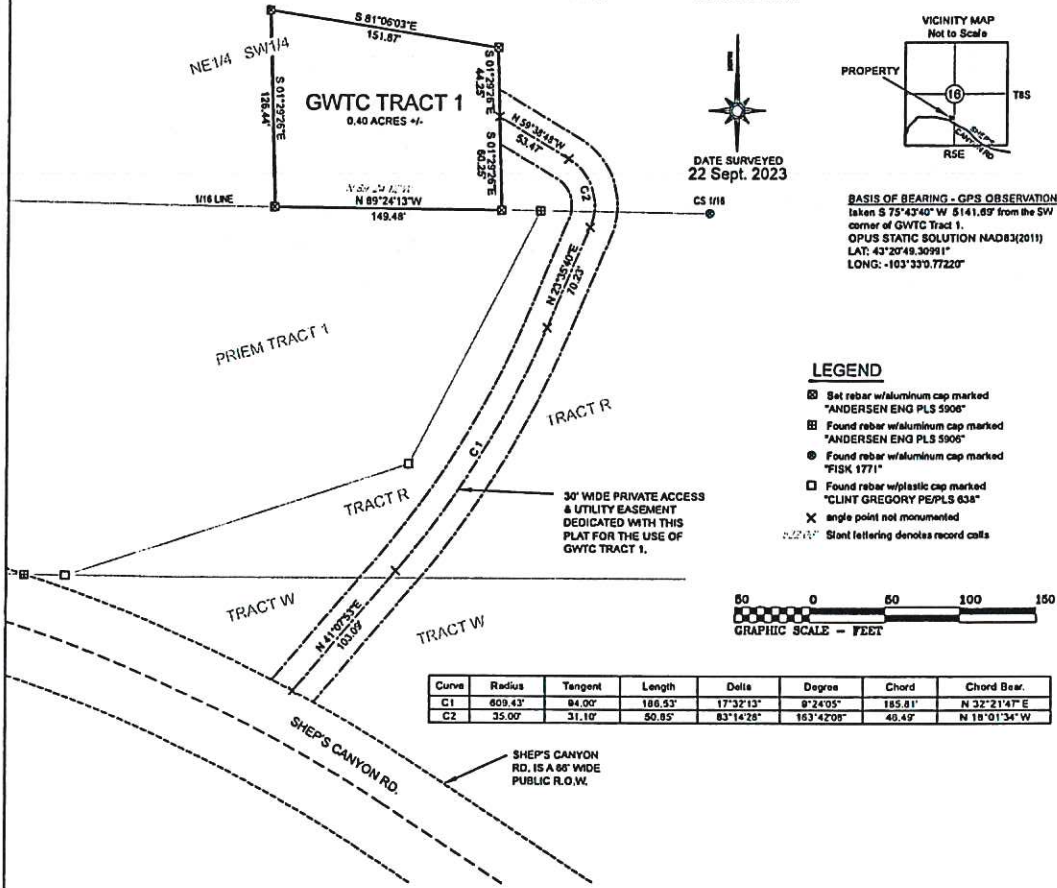
ATTEST:

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

A PLAT OF  
**GWTC TRACT 1, LOCATED IN THE SE1/4 NE1/4 SW1/4  
 OF SECTION 16, T8S, R5E, BHM, FALL RIVER COUNTY,  
 SOUTH DAKOTA**

NOTE: See Book 27 of  
Plats on Page 333 for plat  
of Priem Tract 1.

NOTE: See Book XXI of  
Plats on Page 12 for plat  
of Shep's Canyon Rd.



**BASIS OF BEARING - GPS OBSERVATION**  
 taken S 72°43'40" W 5141.87' from the SW  
 corner of GWTC Tract 1.  
 OPUS STATIC SOLUTION NAD83(2011)  
 LAT: 43°20'49.30991"  
 LONG: -103°33'0.77220"

**LEGEND**

- ☐ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ▣ Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "FISK 1771"
- Found rebar w/plastic cap marked "CLINT GREGORY PE/PLS 638"
- ✕ angle point not monumented
- SLANT LETTERING Slant lettering denotes record calls



Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	609.43'	94.00'	186.33'	17°32'13"	9°24'05"	185.81'	N 32°21'41"E
C2	35.00'	31.10'	50.85'	83°14'28"	163°42'09"	46.49'	N 18°01'34"W

SHEP'S CANYON RD. IS A 65' WIDE PUBLIC R.O.W.

**CERTIFICATE OF SURVEYOR**

I, John D. McBride, Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.  
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.  
 Dated this \_\_\_ day of \_\_\_, 2023.

John D. McBride, SDRLS No. 5906

**CERTIFICATE OF COUNTY TREASURER**

I, Fall River County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.  
 Dated this \_\_\_ day of \_\_\_, 2023.

Fall River County Treasurer

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

Quality Real Estate Inc., does hereby certify that it is the owners of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.  
 Dated this \_\_\_ day of \_\_\_, 2023.

Quality Real Estate Inc.

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 On this the \_\_\_ day of \_\_\_, 2023, before me, the undersigned officer, personally appeared Steven L. Simunek, who acknowledged himself to be the President of Quality Real Estate Inc., a corporation, and that he, as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.  
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION**

I, Director of Equalization of Fall River County, do hereby certify that my office has been furnished with a true copy of the within plat.  
 Dated this \_\_\_ day of \_\_\_, 2023.

Director of Equalization of Fall River County

**CERTIFICATE OF HIGHWAY AUTHORITY**

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority \_\_\_\_\_ Date: \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS**

Whereas, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; now and therefore, BE IT RESOLVED that said plat is hereby approved in all respects.  
 Dated this \_\_\_ day of \_\_\_, 2023.

Chairperson, Fall River County Board of Commissioners

**CERTIFICATE OF COUNTY AUDITOR**

I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of County Commissioners of Fall River County, South Dakota, at a meeting held on the \_\_\_ day of \_\_\_, 2023.

Fall River County Auditor

OFFICE OF THE REGISTER OF DEEDS  
 Filed for record this \_\_\_ day of \_\_\_, 2023, at \_\_\_ o'clock \_\_\_ M, and recorded in Book \_\_\_ of Plats on page \_\_\_\_.

Fall River County Register of Deeds

Prepared by  
**ANDERSEN ENGINEERS**  
*Land Surveyors*

Drawn by RW	Date 8/25/2023	P.O. Box 448 Edgemont, SD 57735 (605)-662-5500 andersenengineers@gwtc.net
Approved by McB	Date 8/25/2023	
Scale 1"=50'	Sheet 1 of 1	File Name: NESW_S16_T8S_R5E



FALL RIVER COUNTY RESOLUTION #2023-\_\_\_\_\_

OUTLOT E NORTH AND OUTLOT E SOUTH, LOCATED IN THE SW1/4 OF  
SECTION 12, T7S, R5E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA  
Formerly Outlot 3 of Tract M, less lot H-3

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

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

Dated this 19<sup>th</sup> day of October, 2023.

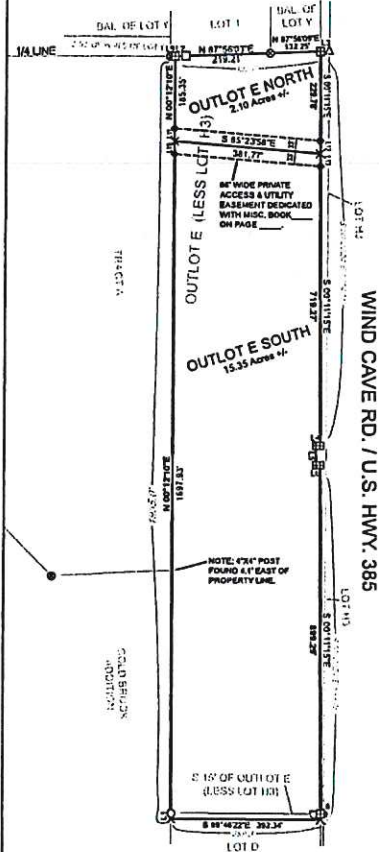
\_\_\_\_\_  
Joe Falkenburg, Chairman  
Fall River County Board of Commissioners

ATTEST:

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

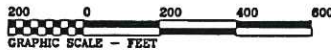
A PLAT OF  
**OUTLOT E NORTH AND OUTLOT E SOUTH, LOCATED IN  
 THE SW1/4 OF SECTION 12, T7S, R5E, BHM, FALL RIVER  
 COUNTY, SOUTH DAKOTA**  
 FORMERLY OUTLOT 3 OF TRACT M, LESS LOT H-3

NOTE: See Book 5 of Plats  
 on Page 44 for plat of  
 OUTLOT E.

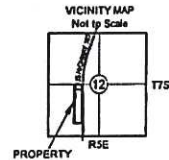


**LEGEND**

- Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/plastic cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- Found rebar w/plastic cap marked "LS 2554"
- Found iron pipe
- △ Found rebar
- × angle point not monumented
- SMV Slant lettering denotes record calls



Course	Bearing	Distance
L1	N 00°12'10" E	13.50'
L2	N 87°50'15" E	27.10'
L3	N 87°50'15" E	23.50'
L4	N 89°32'17" W	11.50'
L5	S 00°11'15" E	27.10'
L6	S 89°48'27" E	7.25'
L7	S 89°48'27" W	13.17'
L8	N 00°11'15" E	33.10'
L9	N 00°11'15" E	33.10'
L10	N 00°11'15" E	33.10'
L11	S 00°11'15" E	33.10'
L12	S 00°11'15" E	33.10'



**BASIS OF BEARING - GPS OBSERVATION**  
 taken S 00°58'22"E 252.74' from the NE  
 corner of OUTLOT E NORTH.  
 OPUS STATIC SOLUTION NAD83(2011)  
 LAT: 43° 27' 17.06603"  
 LONG: -103° 28' 28.69211"

NOTE: THE S 15' OF OUTLOT E SOUTH IS SUBJECT TO A 99 YEAR LEASE DATED MARCH 24, 1988 AND FILED IN MISC. BOOK 134M ON PAGE 157-158.

NOTE: THERE IS A PLAT FILED IN BOOK 7 OF PLATS ON PAGE 55 THAT IS UNSIGNED, SAID PLAT WAS NOT ACKNOWLEDGED WITH THIS SURVEY OF OUTLOT E.

**CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION**  
 I, Director of Equalization of Fall River County, do hereby certify that my office has been furnished with a true copy of the within plat.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Director of Equalization of Fall River County

**CERTIFICATE OF COUNTY TREASURER**  
 I, Fall River County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Fall River County Treasurer

**CERTIFICATE OF SURVEYOR**  
 I, John D. McBride, Registered Land Surveyor No. 5908 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.  
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 John D. McBride, SDRLS No. 5908

**APPROVAL OF ACCESS BY ROAD AUTHORITY**  
 The location of the existing access to the Highway or Street as shown herein is hereby approved. This access approval does not replace the need for any permits required by law, including Administrative Rule of South Dakota 70:09-01.02.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 SDDOT Authority

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 I, Valeria J. Graf, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Valeria J. Graf

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS**  
 Whereas, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; now and therefore, BE IT RESOLVED that said plat is hereby approved in all respects.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Chairperson, Fall River County Board of Commissioners

**ACKNOWLEDGMENT OF OWNERSHIP**  
 STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 On this \_\_\_ day of \_\_\_, 2023, before me, a Notary Public, personally appeared Valeria J. Graf, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.  
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
 Notary Public My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY AUDITOR**  
 I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of County Commissioners of Fall River County, South Dakota, at a meeting held on the \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Fall River County Auditor

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 I, Anita Cope, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.  
 Dated this \_\_\_ day of \_\_\_, 2023.

\_\_\_\_\_  
 Anita Cope

**ACKNOWLEDGMENT OF OWNERSHIP**  
 STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 On this \_\_\_ day of \_\_\_, 2023, before me, a Notary Public, personally appeared Anita Cope, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.  
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
 Notary Public My commission expires \_\_\_\_\_

**OFFICE OF THE REGISTER OF DEEDS**  
 Filed for record this \_\_\_ day of \_\_\_, 2023, at \_\_\_ o'clock \_\_\_ M., and recorded in Book \_\_\_ of Plats on page \_\_\_\_\_.  
 Fall River County Register of Deeds

Prepared by  
**ANDERSEN ENGINEERS**  
*Land Surveyors*

Drawn by DR/RW	Date 10/19/2023	P.O. Box 448 Edgemont, SD 57735 (605)-663-5500
Approved by McB	Date 10/10/2023	andersenengineers@awc.net
Scale 1"=200'	Sheet 1 of 1	File Name: OUTLOT_E_TR_A_512_T7S_R5E_PLAT



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**Registration Open for our Winter Gathering; This Weekend: James J. Hill and the Great Northern Railway**

1 message

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AANW News <news@allaboardnw.org>  
Reply-To: AANW News <news@allaboardnw.org>  
To: agenda@frcounty.org

Tue, Oct 10, 2023 at 7:26 PM

# All Aboard **NORTHWEST**

## **Register Now for Two Great Events!**

### **Greater Northwest Winter Gathering**

**Getting From Here to There: Connecting Trains,  
Transit, Bikes, Rolling and Walking in Communities of  
All Sizes: Greater Northwest Winter Gathering and  
Annual Meeting for AAWA, AORTA, AANW and the  
Rail Passengers Association NW Division**

Saturday, December 9, 2023, 10 am PT

Centralia Depot or on Zoom

Details available at the GNWPRS website

Hosted by All Aboard Washington, The Association of Oregon Rail and Transit Advocates, All Aboard Northwest, and the Northwest Region of the Rail Passengers Association.

Keynote Speaker: Peter Norton Ph. D, Associate Professor, University of Virginia

Dr. Peter Norton is associate professor of history in the Department of Engineering and Society at the University of Virginia, where he teaches history of technology, social dimensions of engineering, research, and professional ethics. He is the author of *Fighting Traffic: The Dawn of the Motor Age in the American City* (MIT Press), and of *Autonorama: The Illusory Promise of High-Tech Driving* (Island Press, 2021). In 2018-19 Norton was a visiting faculty member at the Technical University of Eindhoven in the Netherlands. His article "Street Rivals: Jaywalking and the Invention of the Motor Age Street," published in *Technology and Culture*, won the Abbott Payson Usher Prize of the Society for the History of Technology. He has published work in transportation history and policy, traffic safety, and autonomous vehicles. He is a member of the University of Virginia's Center for Transportation Studies. Norton is a winner of the Hartfield-Jefferson Scholars Teaching Prize and of the Trigon Engineering Society's Hutchinson Award "for dedication and excellence in teaching." He is a frequent speaker on the subject of sustainable and equitable urban mobility.

***Register now! Early bird rates expire November 17.***

***<https://www.aawa.us/events/2023-winter-gathering/>***

## **This Weekend: James J. Hill and the Great Northern Railway**

**Documentary Producer Stephen Sadis**

Saturday, 14 October 2023, 1:00 pm PT

Zoom Meeting

Hosted by All Aboard Washington

Our speaker for October's Zoom meeting will be Stephen Sadis, Director/Editor, Great Northern Filmworks. He is the producer of a 4-part documentary series capturing the compelling story of James J. Hill and the Great Northern Railway.



He was known as "The Empire Builder" and "The Devil's Curse." Streets, towns and counties were named in his honor along with a persistent and invasive weed. He was mythologized in novels and was the target of union battle cries. In households across America, James J. Hill was as well-known as any industrial leader of his day – yet today he is largely unknown.

When the railroad ushered in one of the most transformative eras in American history, James J. Hill emerged as its unrivaled leader. Building a transportation empire that stretched across North America and to the Orient, he was a catalyst for the agriculture, timber and mining industries of the West and settled tens of thousands of immigrants along his lines.

As the pendulum swung from the Gilded Age to the Progressive Era, Hill was a lightning rod for the most impactful issues of the day: immigration, settling the West, government regulations, market manipulation, trust-busting, Native American displacement, environmental stewardship as well as redefining our nation's political and financial role on the global stage.

***Register now at <https://www.aawa.us/events/aawa-general-meeting-october-2023/>***

Find Out More

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Seattle, WA 98122-0225

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# On the Road to Financial Success Workshop

*Promote personal financial awareness and increase retirement preparedness!*

This educational workshop gets back to basics and focuses on financial planning and budgeting. Learn the first steps to getting your finances in order so you can work toward your future retirement!

To register, call  
605-773-3731 (Local/Cell Phone Users)  
1-888-605-SDRS (Long Distance Callers)  
or visit [www.sd.gov/sdrs](http://www.sd.gov/sdrs)

Seating is limited.

Note: No meal will be provided during the workshop.  
Please plan accordingly.

**October 17, 2023**

**Hilton Garden Inn  
815 E Mall Dr  
Rapid City, SD**

**Registration: 5:30 - 6:00 PM  
Workshop: 6:00 - 8:00 PM**

Americans with Disabilities Act Compliance: If you require special accommodations, please notify SDRS prior to the meeting so appropriate auxiliary aids & services can be made available.

Note: Except for Nationwide Retirement Solutions, which administers the SDRS Supplemental Retirement Plan, SDRS does not work with or endorse any outside vendors for financial planning services.



FYI

