

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

**FALL RIVER BOARD OF COUNTY COMMISSIONERS**  
**Second Floor Courtroom**  
**Thursday, November 16, 2023**

8:00 Commission review of bills

9:00 Call Meeting to Order  
Pledge of Allegiance  
Conflict of Interest Items for Board Members

Action Agenda Items for Consideration:

- Approve Agenda
- Approve minutes of the Fall River County Commissioners for November 2, 2023
- Approve Auditor's account with the Treasurer for October 2023
- Set Supplement & Contingency Hearing for December 7, 2023 at 9:30 am
- Set Year End Meeting date
- Approve removal of deceased individuals with County liens, 4<sup>th</sup> Batch

(Move any unfinished business to the end of the meeting if needed)

9:05 Lyle Norton, Sheriff-

- Updates; possible action

9:10 Frank Maynard, Emergency Manager-

- Request travel approval for Gary Baker, Assistant Emergency Manager, to attend the Bovine Emergency Response Plan & Training in Rapid City on November 30, 2023 at a cost of \$20.00; possible action
- Submit report about the Safety Benefits Conference held on November 1 & 2, 2023 in Pierre; possible action
- Updates

9:15 Commissioners-

- Requested contribution of \$13,690.14 in support of the National Center for Public Lands from the Local Assistance and Tribal Consistency Fund money; possible action
- Approve Letter of Support for the Right to Keep and Bear Arms as a Constitutional Amendment; possible action
- Approve Letter of Support for DOT to take action at the intersection of US 18/385 and SD 79 for a safer intersection; possible action

9:25 Sue Ganje, Auditor

- Submit revised pay 2024 tax levies resolution; possible action
- Transfer \$46,277.74 from General Fund to 911 Fund for UPS Battery Back-up System; possible action
- Sub-Recipient Agreement between FR County and SD Dept of Health – WIC Services; possible action

9:30 Hearing for 2024 Liquor and Wine License renewals; possible action

9:40 Randy Seiler, Highway Superintendent

- Pipeline Easement between Fall River County and Dustin and Lindsay Luper; possible action
- Approach permit for Joseph A Astin on the west side of North Butte Rd; possible action
- Request to donate 140 hours of Sick Leave to Jay Miles, Highway Heavy Equipment Operator; possible action

- Hire approval for Anna Maciejewski, Office Manager, Highway Department, \$20.00/hr, Effective November 20, 2023; possible action
- Updates; possible action

9:50 Approve bills & break

10:00 Tanna White, Hot Springs FFA Advisor and High School FFA-

- Presentation on Carbon Credits Program; possible action

10:10 Julie Wheeler, USDA-Forest Service

- Crowe Dam Habitat Improvement Scoping Letter regarding Proposed Prescribed Burn; possible action
- Proposed Cooperative Forest Road Agreement between Fall River County and the USDA, Forest Service; possible action

10:25 Public Comment

10:30 Executive Session as per SDCL 1-25-2 (1) personnel, (3) legal

- Full-time classification for 4-H Youth Advisor; 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 need 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 (848) 777-1212; Conference ID #37268689

**FALL RIVER COUNTY UNAPPROVED MINUTES OF NOVEMBER 2, 2023**

The Fall River Board of County Commissioners met in regular session on November 2, 2023. Present: Joe Allen, Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, Auditor.

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

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

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

Motion made by Russell, seconded by Greenough, to approve the minutes of the County Commissioners for October 19, 2023.

Motion made by Greenough, seconded by Allen, to set the Hearing for 2024 Liquor and Wine License renewals for November 16, 2023, at 9:30 a.m.

Motion made by Allen, seconded by Russell to approve pay increases per Union Contract for Rachel Hosterman, Sherrif Department Office Manager from \$18.50/hr to \$19.25/hr, effective 10/26/2023; Isnalawica Belt, Lead Deputy Sheriff from \$26.00/hr to \$26.75/hr, effective 11/3/2023; and Sam Costa, Heavy Equipment Operator Highway Department from \$21.75/hr to \$23.00/hr plus \$25.00/month longevity, effective 11/8/2023.

Motion made by Greenough, seconded by Cope, to approve hiring Cassidy March as Administrative Assistant, 4H Youth and Extension Services at \$16.00/hr, effective 11/6/2023.

There were no County Assistance applications.

Sheriff Lyle Norton, met with the Board with updates including the following jail count: 14 inmates, 10 male and 3 females with 1 additional male being held in Pennington County. He provided a summary of action taken by the board prior to approving a Feasibility Study on the jail to be done by Elevatus and noting the upcoming time on the agenda to meet the Elevatus Architecture Chief Executive Officer, Project Executive of Justice and the Architectural Graduate. The Feasibility Study will be presented to the Commission at the December 7, 2023, commission meeting.

Randy Seiler, Highway Superintendent, met with the Board to present ROW permits and an approach permit along with a resignation letter from Crispeen Stover, Highway Department Office Manager, with discussion from the Board stating that action on the resignation letter and the possibility of a contract needing to be two separate motions.

Motion made by Russell, seconded by Allen, to approve the Permit to occupy County Highway Right-of-Way, GW Project Number ID# 25903-T23407 near the driveway at 11450 Plains Creek Rd to 11466 Plains Creek Rd from Golden West Telecommunications.

Motion made by Russell, seconded by Cope, to approve the Permit to occupy the County Highway Right-of-Way, GW Project Number ID# T23416-West side of Rathbun Rd from Golden West Telecommunications.



Motion made by Russell, seconded by Greenough, to approve the Approach Permit submitted by Mark Harned on WG Flats Rd.

Motion made by Greenough, seconded by Allen, to accept the resignation of Crispeen Stover, Highway Office Manager.

No motion was made at that time regarding a contract with Stover. The Board will revisit this after executive session.

Seiler gave updates regarding the Solar Farm. They are done with construction. Seiler estimated that they donated around \$40,000.00 worth of gravel along with numerous other construction related items to the County. The Board would like to have a letter drafted and sent to them in appreciation of all items received, Seiler will obtain a mailing address for them. Seiler then updated the Board regarding two culverts on Coal Creek Road that had been silted in and had been blocked by many downed trees. The Highway Department has removed some of them and will burn the remainder. He also reported that they are done mowing for the season and will start hauling gravel.

Dustin Ross of Andersen Engineering met with the Board to present 2 plats for their approval.

Motion made by Allen, seconded by Greenough, to approve the following plat:

**FALL RIVER COUNTY RESOLUTION #2023-42**

**LOT 83 OF RED ROCK RIDGE SUBDIVISION, LOCATED IN THE NW1/4 OF SECTION 15,  
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 2<sup>nd</sup> day of November, 2023.

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

ATTEST:

/S/ Sue Ganje  
Sue Ganje, Auditor  
Fall River County Auditor

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

**FALL RIVER COUNTY RESOLUTION #2023-43**



**LOT 34A AND LOT 37B OF SAND CREEK RESERVE SUBDIVISION, LOCATED IN E1/2 OF SECTION 6, T9S, R8E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, FORMERLY LOT 37**

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 2<sup>nd</sup> day of November, 2023.

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

ATTEST:

/S/ Sue Ganje  
Sue Ganje, Auditor  
Fall River County Auditor

Sue Ganje, Auditor met with the Board to present an agreement between Dakota State University and Fall River County to conduct another security assessment regarding cyber security (aka Project Boundary Fence).

Motion made by Russell, seconded by Allen, to approve the agreement with Dakota State University for cyber security assessment.

Ganje also presented the Sub-Recipient Agreement between Fall River County and the South Dakota Department of Health regarding nursing services and WIC services. The Board would like to visit with Jackie Waldner and Kristy Novotny, both contract nurses, at the next meeting to better understand the changes made to the contract.

Dave Weishaupl, Building Superintendent, met with the Board to present propane quotes, and a 3-year quote for the firewall from Golden West for a 3-year SonicWall NSa2700 3 and to provide updates.

Motion made by Greenough, seconded by Cope, to accept the low bid of \$1.50/gallon for 7,200 gallons of propane from Nelson's Oil and Gas.

Motion made by Russell, seconded by Greenough, to accept the quote and authorize payment in the amount of \$5,680.26 to Golden West Telecommunications for a SonicWall NSa2700 3 Essential Protection Security Suite for 3 years.

Discussion was held regarding the requested contribution of \$13,690.14 in support of the National Center for Public Lands from the Local Assistance and Tribal Consistency Fund (LATCF) money. The Board wants more information about the benefits of this contribution.

Motion made by Allen, seconded by Cope, to move the request from the National Center for Public Lands to the next meeting.

Commissioner Falkenburg spoke about an article that he had read in the Wyoming Livestock Roundup where Senator Cynthia Lummis (R-WY) joined Senator Mike Braun (R-IN) along with 19 others to introduce the Protecting the Right to Keep and Bear Arms Act to help protect the 2<sup>nd</sup> Amendment rights of the people.

Motion made by Russell, seconded by Cope, for Commissioner Falkenburg and Sue Ganje, Auditor, to draft a letter in support of the Protecting the Right to Keep and Bear Arms Act and send it to our State and National Federal delegation.

Motion made by Greenough, seconded by Cope to pay the following bills:

<b>GENERAL FUND</b>		
AFLAC	AMERICAN FAMILY ASSU	\$689.34
APPLIED CONCEPTS INC	NEW VEHICLE EQUIPMEN	\$3,330.00
BLACK HILLS CHEMICAL	SUPPLY	\$219.57
BQ & ASSOCIATES, P.C., LLO	GARNISHMENT	\$284.13
BILBRUCK, TYLER	BLOOD DRAW	\$375.00
BOSTON MUTUAL LIFE INS CO	LIFE INSURANCE	\$32.76
BURNS, CYNTHIA	TRAVEL REIMBURSEMENT	\$66.00
CAMERON, GEORGE	COURT REPORTER	\$509.00
COLBATH & SPERLICH, PC	CAAF/MAG/JUV	\$6,376.35
CREDIT COLLECTION BUREAU	COLLECTIONS	\$1,119.25
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$2,719.22
DIV OF CHILD SUPPORT	CHILD SUPPORT	\$437.50
EFTPS	EFTPS PAYROLL TAXES	\$46,686.19
ELECTION SYSTEMS & SOFT	SOFTWARE MAINTENANCE	\$4,667.25
EXECUTIVE MGMT FINANCE	BIT NETWORK FEES	\$52.75
FALL RIVER AUTO SUPPLY	SUPPLY	\$111.34
FALL RIVER HEALTH SERVICE	INMATE MEDICAL	\$1,023.40
SCHMIDT, STACY	TRAVEL REIMBURSEMENT	\$66.00
HARVEY'S LOCK & SECURITY	SERVICE	\$32.00
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$615.00
HOT SPRINGS ACE HARDWARE	SUPPLY	\$456.90
HUSTEAD LAW OFFICE, P.C.	CAAF	\$8,841.87
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$27,937.50
INTERSTATE BATTERY	PART	\$161.95
KIPP, SAM	TRAVEL REIMBURSEMENT	\$200.00
LIUNA LABORERS LOCAL 620	UNION DUES	\$297.00
MILLER, WADE	REISSUE LOST CHECKS	\$500.00
NEW YORK LIFE INSURANCE	NEW YORK LIFE INS	\$65.00
NORTON, TINA	CONTRACT NURSE INMAT	\$1,325.00
O'DAY, VALARIE	COURT REPORTER	\$225.60
CHILD SUPPORT PAYMENT CNT	CHILD SUPPORT	\$655.00
O'NEILL, JUSTIN	CAAF	\$833.53



QUALITY INN PIERRE	HOTEL/ELECTION TRAIN	\$308.00
RELIANCE STANDARD LIFE	VISION PLAN	\$363.16
ADDICTION RECOVERY CENTER	2023 BUDGET ALLOTMEN	\$14,000.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$24,404.29
SERVALL	RUG SERVICE	\$390.67
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$800.00
SOUTHERN HILLS LAW PLLC	CAAF	\$1,325.10
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$8.29
VERIZON WIRELESS	CELL PHONE PLAN	\$785.97
FEES, IRMA	BLOOD DRAW	\$225.00
MILES, SASHA	BLOOD DRAW	\$75.00
COMMISSIONERS	OCTOBER SALARIES	\$4,350.00
AUDITOR	OCTOBER SALARIES	\$21,665.29
TREASURER	OCTOBER SALARIES	\$18,562.14
STATE'S ATTORNEY	OCTOBER SALARIES	\$17,382.16
MAINTENANCE	OCTOBER SALARIES	\$9,986.56
ASSESSOR	OCTOBER SALARIES	\$15,298.61
REGISTER OF DEEDS	OCTOBER SALARIES	\$12,830.65
VETERAN SERVICE OFFICE	OCTOBER SALARIES	\$4,540.03
GIS	OCTOBER SALARIES	\$4,536.82
SHERIFF'S DEPARTMENT	OCTOBER SALARIES	\$52,045.93
JAIL	OCTOBER SALARIES	\$33,639.86
CORONER	OCTOBER SALARIES	\$150.00
DISPATCH	OCTOBER SALARIES	\$23,505.78
NURSE	OCTOBER SALARIES	\$2,439.32
WEED & PEST	OCTOBER SALARIES	\$4,736.17
	<b>TOTAL FOR GENERAL FUND</b>	<b>\$379,266.20</b>
<b>COUNTY ROAD &amp; BRIDGE</b>		
A & B WELDING SUPPLY CO.	WELDING SUPPLIES/LEA	\$118.30
AFLAC	AMERICAN FAMILY ASSU	\$365.50
BLACK HILLS ELECTRIC	UTILITY	\$35.00
BOMGAARS	SUPPLY	\$79.17
BUTLER MACHINERY CO.	SUPPLIES/REPAIRS	\$1,685.46
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$591.98
DIESEL MACHINERY, INC	PARTS	\$273.71
FLOYD'S TRUCK CENTER	REPAIRS/PARTS	\$680.71
EFTPS	EFTPS PAYROLL TAXES	\$11,382.24
FALL RIVER AUTO SUPPLY	AUTO PARTS	\$1,037.36
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$165.00
SIMON CONTRACTORS OF SD	CHIPS & SALT MIXED	\$1,999.25
HOT SPRINGS ACE HARDWARE	SUPPLY	\$17.98
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$6,762.00
KD CONTRACTORS INC	GRAVEL	\$15,717.06
LIUNA LABORERS LOCAL 620	UNION DUES	\$243.00
MG OIL	INVENTORY/SUPPLY	\$1,839.75

MAVERICK TIRE & AUTO	SERVICE CALL	\$153.00
MCDANIEL	SERVICE	\$649.90
NSG LOGISTICS, LLC	SALT	\$2,846.95
NELSONS OIL & GAS INC.	FUEL	\$29,244.80
NEWMAN SIGNS INC.	SIGNAGE	\$917.91
POMP'S TIRE SERVICE INC.	PARTS	\$963.50
RELIANCE STANDARD LIFE	VISION PLAN	\$65.00
RAPID DELIVERY	DELIVERY	\$19.83
RUSHMORE COMMUNICATIONS	REPAIRS	\$1,881.58
SAFETY-KLEEN SYSTEMS, INC	SUPPLIES	\$124.47
SCHUBBEL, FREDERICK JR	CLOTHING ALLOWANCE	\$300.00
SD DEPT OF REV & REG.	TITLE NEW HIGHWAY TR	\$26.70
SD DEPT OF TRANSPORTATION	STATE COST SHARE ROA	\$45,533.70
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$5,644.40
SEILER, RANDY	CELLPHONE REIMBURSEM	\$163.00
SD SUPPLEMENT RETIREMENT	SUPPLEMENTAL RETIREM	\$40.00
STURDEVANT'S AUTO VALUE	PARTS/SUPPLY	\$26.40
TRUE NORTH STEEL INC.	CULVERT	\$12,114.60
CRBR ADMIN	OCTOBER SALARIES	\$9,651.24
CRBR ADM	OCTOBER SALARIES	\$37,413.62
	<b>TOTAL FOR COUNTY ROAD &amp; BRIDGE</b>	<b>\$190,774.07</b>
<b>911 SURCHARGE REIMBURSE</b>		
AFLAC	AMERICAN FAMILY ASSU	\$67.21
CREDIT COLLECTION BUREAU	COLLECTIONS	\$302.86
DELTA DENTAL PLAN OF SD	DELTA DENTAL	\$317.54
EFTPS	EFTPS PAYROLL TAXES	\$5,792.83
HEAVY HIGHWAY FRINGE	INSURANCE FEES	\$60.00
IOWA LABORERS DISTRICT	HEALTH INSURANCE	\$2,486.50
LIUNA LABORERS LOCAL 620	UNION DUES	\$27.00
RELIANCE STANDARD LIFE	VISION PLAN	\$7.48
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$2,801.61
VERIZON WIRELESS	CELL PHONE PLAN	\$41.92
	<b>TOTAL FOR 911 SURCHARGE REIMB</b>	<b>\$11,904.95</b>
<b>EMERGENCY MGT</b>		
EFTPS	EFTPS PAYROLL TAXES	\$1,887.06
GOVERNORS INN	HOTEL	\$301.00
SD RETIREMENT SYSTEM	SDRS CONTRIBUTION	\$883.22
VERIZON WIRELESS	CELL PHONE PLAN	\$125.76
BAKER, GARY	TRAVEL REIMBURSEMENT	\$134.00
EMERGENCY MANAGEMENT	OCTOBER SALARIES	\$7,360.22
	<b>TOTAL FOR EMERGENCY MGT</b>	<b>\$10,691.26</b>
24/7		



EFTPS	EFTPS PAYROLL TAXES	\$334.12
SD ATTORNEY GENERAL	24/7 STATE DISBURSEM	\$78.00
	<b>TOTAL FOR 24/7</b>	<b>\$412.12</b>
	<b>TOTAL OF BILLS 10-20-2023 TO 11/02/2023</b>	<b>\$593,048.60</b>

Break was taken at 9:47 am. The meeting resumed at 9:57 am.

Carol Foster and Barb Rosane, local residents of the County, engaged with the Board to seek advice in their ongoing discussions with the SD State Department of Transportation concerning the problematic intersection of US Hwy 18/385 and SD Hwy 79, known as Maverick Junction and Coffee Cup Travel Plaza. They've actively presented various recommendations to the DOT aimed at enhancing safety at the intersection due to a significant history of accidents. While the DOT has indicated their intention to conduct a traffic study in the area to address these issues. Foster and Rosane are still seeking the Board's support in advocating for further measures to ensure a safer intersection. The Board will draft a letter of support.

Dan Cullen, Veteran Service Office, met with the Board to present his Quarterly Report.

Michael Gouloff, CEO of Elevatus, along with Doug Dukes, Elevatus Project Executive of Justice, and Dillon Redding, an Architectural Graduate met with the Board for introductory purposes. They're in the final stages of concluding the Feasibility Study and will be meeting with the Board on December 7, 2023 to present the official findings of the study.

During public comment Sheriff Lyle Norton returned to address the issue of the US Hwy 18/385 and SD Hwy 79 intersection. He highlighted the most recent accident involving a motorhome and a semi-trailer. The semi driver had stated there were visibility issues due to the incline on SD Hwy 79, impeding sight to the north. Trish Ladner, District 30 Representative shared discussions that included Dennis Krull, District 30 Representative with the SD DOT, indicating that the DOT plans to assess whether the intersection should resemble either Hermosa or the Crazy Horse intersections. Julie Frye-Mueller, District 30 Senator spoke advocating for a different approach, suggesting a facility like the Star Academy near Custer instead of building more jails. Frye-Mueller emphasized the need for a more comprehensive plan for the US Hwy 18/385 and SD Hwy 79 intersection. Jim Bultsma, a local resident, inquired about the cost of the Feasibility Study. He was informed that it was \$6,000.00.

Motion made by Russell, seconded by Allen, to go into executive session at 10:20 am to discuss personnel as per SDCL 1-25-2 (1), legal (3) and Union Contract negotiations (4).

The Board came out of executive session at 11:48 am.

Motion made by Allen, seconded by Cope, to approve the contract between Crispeen Stover and the County. The County will pay Stover \$30.00/hour with a maximum of 20 hours to train the new Office Manager for the County Highway Department. With Greenough voting no, all others voting yes, motion carried.

Motion made by Allen, seconded by Greenough, to approve the CBA 2024 wage increase of \$.50/hour to employees beyond their 5-year anniversary, to include a minor adjustment to 1 employee's anniversary wage increase.

Motion made by Allen, seconded by Greenough, to adjourn at 11:51 am.

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

TO THE HONORABLE BOARD OF FALL RIVER COUNTY COMMISSIONERS:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 31st day of October 2023.

<b>Total Amount of Deposit in First Interstate Bank, HS:</b>	\$	3,928,582.57
<b>Total Amount of Cash:</b>	\$	713.90
<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>	\$	94,699.83
<b>SAVINGS:</b>		
#4) First Interstate Bank, HS:	\$	1,244,609.60
<b>CERTIFICATES OF DEPOSIT:</b>		
#8) Black Hills Federal Credit Union, HS:	\$	250,000.00
#14) Schwab Treasury:	\$	95,801.18
#15) First National Bank, Lead:	\$	321,631.87
#21) Schwab Treasury 2 Yr:	\$	270,355.00
#22) Schwab Treasury 2 Yr:	\$	980,817.19
#23) Schwab Treasury 2 Yr:	\$	982,968.75
#24) Schwab Treasury 2 Yr:	\$	2,065,679.69
#25) Schwab Treasury 3 Yr:	\$	1,931,562.50
#26) Schwab Treasury 4 Yr:	\$	1,012,995.94
#27) Schwab Treasury 2 Yr:	\$	978,047.66

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

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

**RETURNED CHECKS:**

Hannah Thomas	\$	426.01
Lewis, Harold/ Carole	\$	557.77

**TOTAL \$ 14,160,884.46**

Dated This 31st Day of October 2023.

  
Sue Ganje, County Auditor of  
of Fall River County

  
Teresa Pullen, County Treasurer  
of Fall River County

County Monies	\$	11,452,244.98
Held for other Entities	\$	2,385,663.19
Held in Trust	\$	322,976.29
<b>TOTAL</b>	<b>\$</b>	<b>14,160,884.46</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.



RECEIPT	DOD	COP	CAA	IMN	BLD	MHC	DET	TOTAL	BALANCE	ST
Badger, Charles Jr	6/25/2020		\$1,732.05	\$1,259.39				\$2,991.44	\$2,991.44	SD
Total								\$2,991.44		

RELEASED PER COMMISSIONERS MEETING MINUTES OF 11/16/2023

SUE GANJE, FALL RIVER COUNTY AUDITOR

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

**RECEIVED**  
NOV 06 2023  
BY:.....



*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: November 16, 2023**

**Subj: Commission Update:**

1. **Travel Approval:** Request approval for Gary Baker to attend the Bovine Emergency Response Plan & Training in Rapid City on November 30<sup>th</sup>, 2023. Cost is \$20.00. (attachment)
2. **Safety Benefits Conference:** I attended the conference in Pierre on November 1<sup>st</sup> & 2<sup>nd</sup>. I attached a listing of the agenda. (attachment)
3. **Fires & Incidents:**
  - a. 10/21/2023: Sig. 1: Shady Road: Fall River Sheriff, Oral Fire Dept., Hot Springs Ambulance..
  - b. 10/21/2023: Electrical Issue: Hot Springs. Hot Springs Fire, Hot Springs Police.
  - c. 10/21/2023: Grass & Trash Fire: Hwy 18 By Pass: Hot Springs Fire, Hot Springs Police.
  - d. 10/30/2023: Fire Alarm: Edgemont School: False Alarm.
  - e. 11/02/2023: Sig. 1. Rollover Hwy 79: Semi & Cattle Hauler: Fall River Sheriff, Hot Springs Fire, Hot Springs Ambulance and SD Highway Patrol.
  - f. 11/05/2023: Chimney Fire: Hot Springs: Hot Springs Fire, Hot Springs Police.
  - g. 11/06/2023: Propane Smell: Hot Springs: Hot Springs Fire and Hot Springs Police.
  - h. 11/09/2023: Vehicle Fire: Hwy 18: Fall River Sheriff, Hot Springs Police, Hot Springs Fire.
  - i. 11/10/2023: Sig. 1, Hwy 18 & 385 Intersection: Oelrichs Fire, Oelrichs Ambulance, Hot Springs Ambulance and Fall River Sheriff.
  - j. 11/13/2023: Vehicle Fire: Hwy 385, mm 9: Fall River Sheriff and Oelrichs Fire.

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

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



# Agenda

7:45 am	Registration
8:00 am	Overview/Pre- test
8:30 am	Intro to BERP and Local Emergency Planning
9:15 am	Transportation hazards
10:00 am	Break
10:15 am	Biosecurity
10:45 am	Euthanasia & Mortality
12:00 pm	Lunch
1:00 pm	Debriefing/ Safety
1:15 pm	Animal Care & Handling
2:00 pm	Euthanasia Practicum
2:45 pm	Break
3:00 pm	Animal Handling Practicum
4:00 pm	Trailers up Close
4:45 pm	Post Test/ Certificates
5:00 pm	Adjourn

## Cost

**\$20 Per Person**

**“The scene of the accident is not the place to build a team”**

### THE BOVINE EMERGENCY RESPONSE PLAN (BERP) TRAINING IS ALL ABOUT:

- Preparing the kinds of things that are expected in vehicular cattle emergencies.
- Learning how to improve response to emergency incidents involving cattle.
- Recognizing potential hazards and issues related to responder safety, public safety and animal care and welfare.
- Encouraging the development of customized solutions that fit a jurisdiction unique needs.

#### HANDS-ON TRAINING FOR:

- LAW ENFORCEMENT
- FIRE AND EMS
- EMERGENCY MANAGEMENT
- PUBLIC SAFETY OFFICIALS
- EDUCATORS
- VETERINARIANS
- LOCAL FARMERS AND RANCHERS

## Registration

Register Here: <https://shorturl.at/blGKY>  
Registration is required to attend



## For more Information

### Killdeer: Kirsten Kukla

NDSU Extension - Dunn County  
(701) 573-4756  
kirsten.kukla@ndsu.edu

### Bowman: Penny Nester

NDSU Extension - Bowman County  
(701) 523-5271  
penny.nester@ndsu.edu

### Rapid City & Mobridge:

#### Robin Salverson

SDSU Extension  
(605) 374-4177  
Robin.Salverson@sdstate.edu



SOUTH DAKOTA STATE  
UNIVERSITY EXTENSION

**NDSU**

EXTENSION



*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: November 16, 2023**

**Subj: 2023 Risk and Safety Conference**

**November 1<sup>st</sup>:**

1. **General Session: Communicating Difficult Information to the Public: Sandy Frentz, Sioux Falls Public Information Officer, ret.**
2. **Civility and Sensitivity at Work: Tracie Everson: Co-Owner of Safety Benefits, Inc**
3. **Conducting Effective Safety Inspections: Jeff Lanning: Consultant for Safety Benefits, Inc.**

**November 2<sup>nd</sup>:**

1. **General Session: Leading Yourself Well: Anne Woodford: Mental Health Provider for Well 365.**
2. **What is going on out there: Chris Madsen: Claims Associate, Inc.**
3. **Brandon's Story: Brandon Schroeder: Believe in Safety**

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

*Franklin W. Maynard, CEM, CFM*

*Emergency Manager*

*Fall River County*

*906 N. River Street*

*Hot Springs, SD 57747*



[EXT] Invoice - National Center for Public Lands Counties

Kade Haley <kade@sdcountycommissioners.org>

Fri 9/29/2023 1:45 PM

To:Ganje, Sue <Sue.Ganje@state.sd.us>

 3 attachments (3 MB)

Center for Public Lands Counties Packet.pdf; Fall River County, South Dakota.pdf; Oglala Lakota County, South Dakota.pdf;

Greetings County Auditors and Commissioners!

On behalf of the SDACC Board of Directors, we are writing to urge your support for the National Association of Counties (NACo) initiative to establish the National Center for Public Land Counties. Support of this program was passed unanimously by the SDACC Board of Directors on August 10<sup>th</sup>, 2023. As stewards of your county's interests, it is crucial that we recognize the significant role NACo plays on behalf of counties at the national level and the potential benefits of this new center.

We strongly encourage you to consider your support for the National Center for Public Land Counties. This one-time investment in our future will pay dividends for years to come by safeguarding our interests, promoting responsible land management, and fostering collaboration among counties nationwide.

This one-time payment represents only 1% of the total LACTF dollars your county received. Thanks to NACo's unwavering efforts at the national level, these funds were sent directly to counties instead of the state, allowing you to maintain local control and assure their effective use.

Attached to this email is the invoice itself, as well as detailed information regarding the Center.

Thank you for your attention to this matter, and we look forward to your positive response. If you have any questions or need further information, please do not hesitate to contact the office.

Best,

*Kade Haley*

Deputy Director  
South Dakota Association of County Commissioners  
South Dakota Association of County Officials  
211 E Prospect Ave  
Pierre, SD 57501  
(605) 224-4554

Fall River County, South Dakota

TO: South Dakota Association of County Commissioners  
211 E Prospect Ave  
Pierre, SD 57501

National Center for Public Lands Counties (The Center) Request

FORMULA: Total LACTF Dollars received = \$1,369,014.42

TOTAL x .01 = \$ 13,690.14

TOTAL NATIONAL CENTER FOR PUBLIC LANDS contribution = \$ 13,690.14

=====

To: South Dakota Association of County Commissioners

From: Fall River County

Amount of Claim --- \$ 13,690.14

Audited and Allowed \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_, Chairperson

State of South Dakota )

ss.

County of Fall River

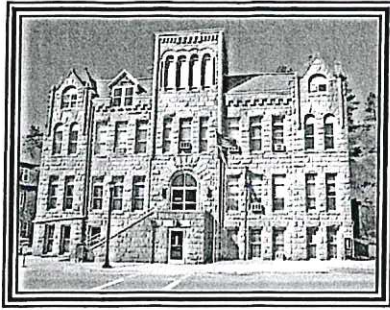
The South Dakota Association of County Commissioners (SDACC) certifies this to be a just and true claim for payment which conforms to authority granted by law.

**TOTAL CONTRIBUTION: \$13,690.14**

**Total Dues Submitted:** \_\_\_\_\_

**This office will submit your payment to NACo on your behalf.**





**FALL RIVER COUNTY  
COMMISSIONERS  
COURTHOUSE  
906 NORTH RIVER ST  
HOT SPRINGS, SOUTH DAKOTA 57747  
PHONE: (605) 745-5130 FAX: (605) 745-6835  
EMAIL: [commissioners@frcounty.org](mailto:commissioners@frcounty.org)**

November 6, 2023

Governor Kristi Noem  
500 East Capitol Avenue  
Pierre, SD 57501

Senator John Thune  
246 Founders Park Drive  
Suite 102  
Rapid City, SD 57701

Senator Mike Rounds  
603 Omaha St  
Suite 100  
Rapid City, SD 57701

Representative Dusty Johnson  
2525 W. Main St  
Suite 310  
Rapid City, Sd 57702

SD State Attorney General Marty Jackley  
1302 E. Hwy 14  
Apt. 1  
Pierre, SD 57501

Dear Governor, Legislators, and Attorney General,

Officials in offices in Federal, State, and County positions are required to uphold the Constitution. This includes all the Amendments. It is of great concern that the Governor of New Mexico has suspended the Second Amendment as a "Public Health Emergency" because of gun violence. The Senators of both Wyoming and Indiana and 19 colleagues have introduced the "Right To Keep and Bear Arms Act" which would prevent the President and the Secretary of Health and Human Services from declaring a "Public Health Emergency" to impose gun control. This is a serious affront to our Constitution and creates a grave danger to our Constitutional Rights.

It is with great concern that President Biden announced an Office of "Gun Violence Prevention" led by Left Wing activists whose goal is to declare a National gun violence "Public Health Emergency." Protecting our Second Amendment with the Right to Keep and Bear Arms, should prevent our President from removing our Right to bear arms and other Constitutional Amendments such as Free Speech.

I would hope that your offices would offer support to prevent any loss of our Second Amendment Rights, especially the Rights that prohibits the manufacturing, transport, or sale of ammunition during a national emergency.

Let's keep America Free as our Constitution guarantees.

Sincerely,

---

Joe Falkenburg, Chairman  
Fall River County Commission

---

Deb Russell, Vice-Chairwoman  
Fall River County Commission

---

Joe Allen  
Commissioner  
Fall River County

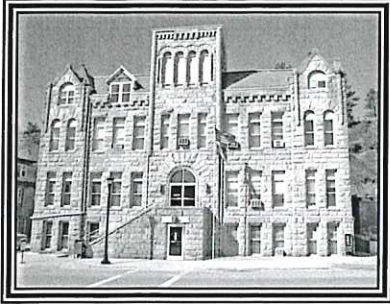
---

Les Cope  
Commissioner  
Fall River County

---

Heath Greenough  
Commissioner  
Fall River County





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

---

November 16, 2023

SD Department of Transportation  
118 West Capitol Ave  
Pierre, SD 57501

Rich Zacher – SD DOT  
115 Centennial Dr  
Custer, SD 57730

Trish Ladner, District 30 Representative  
12567 Pine Shadows Rd  
Hot Springs, SD 57747

Dennis Krull  
PO Box 232  
Hill City, SD 57745

Julie Frye-Muller, District 30 Senator  
23764 Wallace St  
Rapid City, SD 57702

To Whom It May Concern:

Fall River County, SD has been the location of multiple vehicle accidents which occur at the US Highways 18/385 and SD Highway 79 junction (formally known as Maverick Junction) for years. A recent proposal from residents to the Commission puts this item back to the top of the list of concerns for residents.

The issue is safety. Safety for our residents, and for individuals traveling through our County.

We appreciate that after the recent submission of the proposal to make the junction safer, the SDDOT will now conduct a Safety Audit at that location in the upcoming months.

Fall River County supports all efforts the State can do to make this junction safer.

We look forward to any response from the State, and please contact us if you have any questions of this Board.

Sincerely,

---

Joe Falkenburg, Chairman  
Fall River County Commission

---

Deb Russell, Vice-Chairwoman  
Fall River County Commission

---

Joe Allen  
Commissioner  
Fall River County

---

Les Cope  
Commissioner  
Fall River County

---

Heath Greenough  
Commissioner  
Fall River County

ANNUAL BUDGET FOR FALL RIVER COUNTY, SD  
For the Year January 1, 2024 to December 31, 2024

Tax Levy in

RESOLUTION

COUNTY TAX LEVIES	Dollars	\$'s/1,000
<b>WITHIN LIMITED LEVY:</b>		
* General County Purposes (10-12-9)	3,394,669.00	3.027
Library	8,693.00	0.011
<b>LIMITED LEVY (10-12-21) - SUB TOTAL</b>		
<b>OUTSIDE LIMITED LEVY:</b>	<b>3,403,362.00</b>	<b>3.038</b>
County Snow Removal Fund (34-5-2)		
County Road and Bridge (10-12-13)		
Courthouse, Jail, etc., Bldg. (7-25-1)	143,951.00	0.128
Bond Interest Sinking (7-24-18)		
Ag Building (7-27-1)		
<b>UNLIMITED LEVY - SUB TOTAL</b>	<b>143,951.00</b>	<b>0.128</b>
<b>LIMITED AND UNLIMITED LEVY - SUB-TOTAL</b>	<b>3,547,313.00</b>	<b>3.166</b>
<b>OTHER SPECIAL LEVIES</b>		
Secondary Road (Unorg. PT-76) (31-12-27)	324,339.00	0.571
Fire Protection (34-31-3)	1,256.00	0.139
<b>TOTAL TAXES LEVIED BY COUNTY</b>	<b>3,872,908.00</b>	<b>3.876</b>

ADOPTION OF ANNUAL BUDGET FOR FALL RIVER  
County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,  
Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and  
Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR FALL RIVER County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2024 and ending December 31, 2024 and the same is hereby approved and adopted by the Board of County Commissioners of Fall River County, South Dakota, this 21st day of September, 2023.  
The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Fall River, County, South Dakota. The accompanying taxes are levied by Fall River County for the year January 1, 2024 through December 31, 2024.

BOARD OF COUNTY COMMISSIONERS OF  
Fall River County, South Dakota

\_\_\_\_\_ Chairman  
 \_\_\_\_\_ Commissioner  
 \_\_\_\_\_ Commissioner  
 \_\_\_\_\_ Commissioner  
 \_\_\_\_\_ Commissioner  
 Attest \_\_\_\_\_ County Auditor

\* These Amounts include the 25% to be distributed to cities.  
  
As of 09/21/2023 these levies are not approved by the Department of Revenue



6/1/23 - 5/31/24  
122-123 Amt - \$7564.00  
123-124 Amt - \$8170.00

2 4 S C 0 9 \_ \_ \_ \_

STATE OF SOUTH DAKOTA  
DEPARTMENT OF HEALTH  
DIVISION OF FAMILY AND COMMUNITY HEALTH  
Sub-Recipient Agreement  
Between

Fall River County  
c/o County Auditor  
906 N River Street  
Hot Springs, SD 57747

South Dakota Department of Health  
Division of Family and Community Health  
Office of Child and Family Services  
600 East Capitol Avenue  
Pierre, SD 57501-2536  
(605) 773-3361

Referred to as "Sub-recipient"

Referred to as "State"

The State and Sub-Recipient hereby enter into this agreement (the "Agreement" hereinafter) for a grant award of Federal financial assistance to Sub-Recipient.

A. REQUIRED AUDIT PROVISIONS FOR GRANT AWARDS

1. FEDERAL AWARD IDENTIFICATION

Information for the Federal Award Identification, as described in 2 CFR 200.331 is inserted below. In the event of a change in the award of funding source, the information inserted below may change. Sub-Recipient's consent shall not be required for the change in award or funding source and the change shall not be subject to the requirements for an amendment to this Agreement. In the event of a change, the State will provide updated information at least annually.

1.1 Subrecipient Information:

- a. Sub-recipient's name, City, State, and Zip +4 (which must match the name associated with its DUNS number): Fall River County, Hot Springs, SD 57747
- b. Sub-Recipient's unique entity identifier: HN27D6J7JQ87
- c. Federal Award Identification Number (FAIN): 233SD708W1003
- d. Federal Award Date: October 1, 2022 to September 30, 2023
- e. Sub-award Period of Performance: 6/1/2023-9/30/2023
- f. Amount of Federal Funds Obligated to Sub-recipient in this action for this period of performance: \$2,521.33
- g. Total Amount of Funds Obligated to Sub-recipient prior to this action for this period of performance: \$0.00
- h. Total Amount of Federal Award to the Sub-recipient for this period of performance: \$2,521.33
- i. The federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA), is as follows: This agreement is made for the purpose of providing intake and administrative services for the Women, Infants and Children (WIC) Program in Fall River County. The purpose of the WIC Program is to provide supplemental foods and nutrition education, including breastfeeding promotion and support, through payment of cash grants to State agencies which administer the Program through Local Agencies at no cost to eligible persons.
- j. Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity: USDA Food and Nutrition Service, South Dakota Department of Health, and Rhonda Buntrock and contact information Rhonda.Buntrock@state.sd.us.

- k. CFDA No(s) and Name(s): 10.557 Special Supplemental Nutrition Program for Women Infants and Children
- l. Is the grant award for research and development (R&D)? YES \_\_\_ NO X
- m. Department of Health Indirect Cost Rate for federal award: 07/01/2023 to 06/30/2024 = 7.3%

1.2

- a. Sub-recipient's name, City, State, and Zip +4 (which must match the name associated with its DUNS number): Fall River County, Hot Springs, SD 57747
- b. Sub-Recipient's unique entity identifier: HN27D6J7JQ87
- c. Federal Award Identification Number (FAIN): 243SD708W1003
- d. Federal Award Date: October 1, 2023 to September 30, 2024
- e. Sub-award Period of Performance: 10/1/2023 - 5/31/2024
- f. Amount of Federal Funds Obligated to Sub-recipient in this action for this period of performance: \$5,042.67
- g. Total Amount of Funds Obligated to Sub-recipient prior to this action for this period of performance: \$0.00
- h. Total Amount of Federal Award to the Sub-recipient for this period of performance: \$5,042.67
- i. The federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA), is as follows: This agreement is made for the purpose of providing intake and administrative services for the Women, Infants and Children (WIC) Program in Fall River County. The purpose of the WIC Program is to provide supplemental foods and nutrition education, including breastfeeding promotion and support, through payment of cash grants to State agencies which administer the Program through Local Agencies at no cost to eligible persons.
- j. Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity: USDA Food and Nutrition Service, South Dakota Department of Health, and Rhonda Buntrock and contact information Rhonda Buntrock@state.sd.us.
- k. CFDA No(s) and Name(s): 10.557 Special Supplemental Nutrition Program for Women Infants and Children
- l. Is the grant award for research and development (R&D)? YES \_\_\_ NO X
- m. Department of Health Indirect Cost Rate for federal award: 7/01/2023 to 06/30/2024 = 7.3%

2. PERIOD OF PERFORMANCE OF THIS AGREEMENT:

This agreement shall be effective on June 1, 2023 and will end on May 31, 2024, unless sooner terminated pursuant to the terms hereof.

3. SCOPE OF WORK AND PERFORMANCE PROVISIONS:

- a. Sub-recipient is not a full or part-time employee of State or any agency of the state of South Dakota.
- b. Sub-recipient, as an independent contractor, is solely responsible for the withholding and payment of applicable income and Social Security taxes due and owing from money received under this contract.
- c. Sub-recipient may use the following equipment, supplies or facilities owned by the state of South Dakota.
  - i. The Sub-recipient will use a state owned, personal computer and, if the Sub-Recipient is able to demonstrate to the State's satisfaction that general office equipment and general office supplies are not available, the State will provide such office equipment and supplies, including but not limited to, a desk, chair, filing cabinet and general office supplies. No State facilities will be used by the Sub-Recipient in fulfillment of this contract.

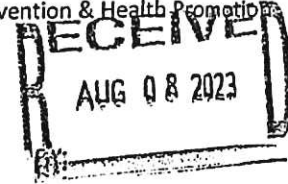




FYI

## DIVISION OF FAMILY & COMMUNITY HEALTH

Child & Family Services | Disease Prevention & Health Promotion



August 3, 2023

Dear Commissioners,

During FY2023, the South Dakota Department of Health's Office of Child and Family Services (OCFS) gave over 10,000 immunizations, cared for 3,634 pregnancy care clients, and provided 894 safe sleep environments. The Women, Infants, and Children (WIC) program also served 14,000 clients monthly. This great work was made possible by our strong partnerships with counties like yours across the state that provide staff and space through contractual agreements with the Department of Health (DOH).

OCFS continues to respond to the changing needs of our clients and citizens of South Dakota. In recent years, our clients desired various options for service delivery. We have shifted from only delivering services in-person and via telephone to offering telehealth services through a new platform, where clients can conveniently meet with health professionals in a virtual space. In the next few months, we also plan to roll out mobile units that will deliver a wide range of public health services to rural sites where DOH does not have a physical location. Additionally, we have implemented an electronic health record to improve care coordination, streamline workflows, and monitor population trends.

As we continue to implement new technology and offer additional services, it's important to recognize that quality starts with our dedicated workforce having the training and time to carry out all these activities. The duties and responsibilities of the Community Health staff have grown over the last several years. To balance quality care for clients with the needs of the DOH workforce, we will be creating a distinct separation of our Women, Infants, and Children (WIC) program and Community Health Services. Staff will specialize in one area, allowing them to stay current on best practices, policies, and procedures, and carry a consistent case load. We are also implementing additional supervisory support, with five dietitian managers across the state who will supervise the staff and activities of the WIC program. Public Health Nursing Managers will continue to supervise Community Health Services activities such as immunizations, school health services, and the pregnancy care program.

As we enact these changes beginning September 1<sup>st</sup>, 2023, we will continue to monitor the needs of each county through data, and staff and client feedback. We will assess any gaps with the new service delivery model and ensure South Dakotans continue to have access to all the programs offered by OCFS.

In the next week, you will receive your FY24 WIC contract. As you review it, please pay special attention to section #3 Scope of Work and Performance Provisions. We have also included updated documents outlining the duties of the WIC Clerical and Public Health Assistant positions. Please reach out if you have questions. We look forward to our continued partnership to improve the health and well-being for families across the state.

Kind regards,

Katelyn Strasser, Office of Child and Family Services Administrator  
Rhonda Buntrock, WIC Director  
Joel Arriolacolmenares, Community Health Services Director



Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RW-29507

**Uniform Alcoholic Beverage License Application**

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

RODEO GROUNDS LLC  
14098 E ORAL RD  
ORAL, SD 57766

Lic # RW-29507  
RODEO GROUNDS  
27631 HWY 79  
HOT SPRINGS, SD 57747

Owner's Telephone#: 605-891-9034

Business Telephone #: (605) 891-9034 605-745-2013

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

Place of business is located in a municipality? [ ] Yes [X] No

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

County: Fall River

Do you own [ ] or lease [X] this property? (Check one)

Are real property taxes paid to date? [ ] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

Lot 2 BLK 3, less that part of tract  
SB in lot 2: Ponderosa subd  
Track SD of blk 3 in Ponderosa subd  
Lot 3 BLK 3 Lot 4 blk 3 in Ponderosa subd  
E. State Sales Tax Number: 1040-1329-ST

Is this License in active use? [X] Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [X] Yes [ ] No If Yes, please list on the back page

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? [X]

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

Date 11-2-2023 Print Name Lisa Botley Signature Lisa Botley

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



For Local Government Use

BY: .....  
Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

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

Name of corporation/partnership/LP/LLC Roden Grounds LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 21631 Hwy 79 Hot Springs, SD

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

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

Name	Office	Address	Occupation
<u>Lisa Batley</u>	<u>Owner/Manager</u>	<u>14013 E. Oval Rd</u>	<u>Training Instructor</u>

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
<u>Lisa Batley</u>	<u>On-Off Retail Sale Malt Beverage</u>

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

with Lisa

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

Lisa Batley

11-2-2023





Date Received \_\_\_\_\_

2024

License No. RL-6193

Date Issued \_\_\_\_\_

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

ALL 5 GEARS LLC  
30387 HIGHWAY385  
OELRICHS, SD 57763-7828

Lic # RL-6193  
STATELINE RESTURANT & CASINO  
30387 HIGHWAY385 STE A  
OELRICHS, SD 57763-7828

Owner's Telephone#: 605-535-2097

Business Telephone #: 605-535-2099

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

Place of business is located in a municipality? [ ] Yes  No

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

County: Fall River

Do you own  or lease [ ] this property? (Check one)

Are real property taxes paid to date? [ ] Yes [ ] No

Are you of good moral character having never been convicted of a felony?  Yes [ ] No

D. Legal description of licensed premise:

*Attached*

Is this License in active use?  Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [ ] Yes  No **If Yes, please list on the back page**

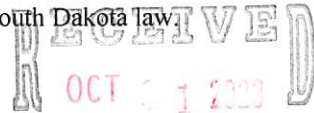
E. State Sales Tax Number: 1034-4794-ST

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

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

Date 10/23/23 Print Name Shannon D Friedel Signature *Shannon D Friedel*

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



BY: .....

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

For Local Government Use



(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side



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

Name of corporation/partnership/LP/LLC ALL S GEARS

Address of office and principal place of business of corporation/partnership/LP/LLC 30387 Hwy 385 Quicks, SD

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

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

Name	Office	Address	Occupation
<u>Shannon Freidel</u>	<u>owner</u>	<u>30387 Hwy 385 SD</u>	<u>Operator</u>
<u>Russell Hines</u>	<u>owner</u>	<u>30387 Quicks</u>	<u>dr II</u>

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?  
on site 30387 Hwy 385 Quicks, SD

**With signature the applicant agrees to the following:**  
That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.  
We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

**Signature of Authorized Officer/Director/Partner** Shannon Freidel **Date** 23 Oct 23

STATELINE CASINO INC.

30387 HIGHWAY 385  
OELRICHS, SD

57763

LEGAL DESCRIPTION  
OF PROPERTY

THAT PORTION OF GOVERNMENT LOT 4 LYING WEST OF STATE  
HIGHWAY 79 / 385, LESS LOT H-2, AND THAT PORTION OF GOVERNMENT  
LOT 3 LYING WEST OF LOT H-1 STATE HIGHWAY 79 / 385, AND TRACT A  
LOCATED IN A PORTION OF GOVERNMENT LOT 3 AND 4 AS SHOWN ON  
PLAT FILED IN BOOK 24 OF PLATS, PAGE 53, IN SECTION 18, TOWNSHIP  
12 SOUTH, RANGE 8 EAST OF THE BLACK HILLS MERIDIAN, FALL RIVER  
COUNTY, SOUTH DAKOTA.

COPY -

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RL-6192

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

H & H ENTERPRISES INC  
2508 S CAROLYN AVE  
SIOUX FALLS, SD 57106

Lic # RL-6192  
COFFEE CUP FUEL STOP #9 - HOT SPRINGS  
27638 US HIGHWAY 385  
HOT SPRINGS, SD 57747-7249

Owner's Telephone#: (605) 745-4215 (605) 274-2540

Business Telephone #: (605) 745-4215

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

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

Place of business is located in a municipality? [ ] Yes [X] No

County: Fall River

Do you own [X] or lease [ ] this property? (Check one)

Are real property taxes paid to date? [X] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

Tract A-1, Tract A-2, (excludes Lot H1), and tract B in the NW 1/4 of Section 34, Twsp 7S, Range 6E, Fall River County, Hot Springs, South Dakota, according to the recorded plat thereof

Is this License in active use? [X] Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [X] Yes [ ] No If Yes, please list on the back page

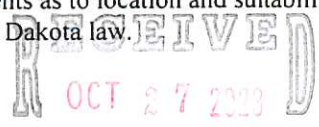
E. State Sales Tax Number: 1031-5042-ST

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? [X] \_\_\_\_\_

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

Date 10/18/2023 Print Name Lisa Heinz Signature 


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



BY: .....

For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

 (Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant



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

Name of corporation/partnership/LP/LLC H&H Enterprises, Inc.

Address of office and principal place of business of corporation/partnership/LP/LLC 2508 S Carolyn Ave, Sioux Falls, SD 57106

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

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

Name	Office	Address	Occupation
Tom Heinz	President	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Owner/Operator
Chris Heinz	Vice President	1319 N Olde Wagon Rd, Sioux Falls, SD 57110	Director of Operations & Finance
Ericka Schapekahm	Director	215 Court St, Vermillion, SD 57049	Human Resources Director
Jane Heinz	Director	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Director of Inside Sales
Richard Heinz	Director	3201 S Covell Ave, Sioux Falls, SD 57105	Truck Driver
Taite Heinz	Director	1319 N Olde Wagon Rd, Sioux Fall, SD 57110	Operations Coordinator

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
See above	Beer: RB-3217 47051 SD Hwy 50, Burbank, SD 57010 RB-2632 27638 US Hwy 385, Hot Springs, SD 57747 RB-2824 45789 US Hwy 12, Summit, SD 57266
	Wine: RW-19559 45789 US Hwy 12, Summit, SD 57266 RW-19495 47051 SD Hwy 50, Burbank, SD 57010 RW-19689 27638 US Hwy 385, Hot Springs, SD 57747
	On-sale Liquor: RL-6192 27638 US Hwy 385, Hot Springs, SD 57747
	Off-sale Liquor: PL-27716 27638 US Hwy 385, Hot Springs, SD 57747 PL-27717 47051 SD Hwy 50, Burbank, SD 57010
	Retail Alcohol Bev: AB-02825 620 Mitchell Ave, Steele, ND 58482

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

2508 S Carolyn Ave, Sioux Falls, SD 57106

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date



10/18/23

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RW-19689

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

H & H ENTERPRISES INC  
2508 S CAROLYN AVE  
SIOUX FALLS, SD 57106

Lic # RW-19689  
COFFEE CUP FUEL STOP #9 - HOT SPRINGS  
27638 US HIGHWAY 385  
HOT SPRINGS, SD 57747-7249

Owner's Telephone#: (605) 274-2540

Business Telephone #: (605) 745-4215

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

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

Place of business is located in a municipality? [ ] Yes [X] No

County: Fall River

Do you own [X] or lease [ ] this property? (Check one)

Are real property taxes paid to date? [X] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

Tract A-1, Tract A-2, (excludes Lot H1), and tract B in the NW 1/4 of Section 34, Twsp 7S, Range 6E, Fall River County, Hot Springs, South Dakota, according to the recorded plat thereof

Is this License in active use? [X] Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [X] Yes [ ] No **If Yes, please list on the back page**

E. State Sales Tax Number: 1031-5042-ST

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? X

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

Date 10/18/2023 Print Name Lisa Heinz Signature *Lisa Heinz*

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



For Local Government Use

(Seal) \_\_\_\_\_  
Mayor or Chairman

BY: \_\_\_\_\_  
Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side



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

Name of corporation/partnership/LP/LLC H&H Enterprises, Inc.

Address of office and principal place of business of corporation/partnership/LP/LLC 2508 S Carolyn Ave, Sioux Falls, SD 57106

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

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

Name	Office	Address	Occupation
Tom Heinz	President	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Owner/Operator
Chris Heinz	Vice President	1319 N Olde Wagon Rd, Sioux Falls, SD 57110	Director of Operations & Finance
Ericka Schapekahm	Director	215 Court St, Vermillion, SD 57049	Human Resources Director
Jane Heinz	Director	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Director of Inside Sales
Richard Heinz	Director	3201 S Covell Ave, Sioux Falls, SD 57105	Truck Driver
Taite Heinz	Director	1319 N Olde Wagon Rd, Sioux Fall, SD 57110	Operations Coordinator

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location		
See above	Beer:	RB-3217 47051 SD Hwy 50, Burbank, SD 57010	
		RB-2632 27638 US Hwy 385, Hot Springs, SD 57747	
		RB-2824 45789 US Hwy 12, Summit, SD 57266	
	Wine:	RW-19559 45789 US Hwy 12, Summit, SD 57266	
		RW-19495 47051 SD Hwy 50, Burbank, SD 57010	
		RW-19689 27638 US Hwy 385, Hot Springs, SD 57747	
	On-sale Liquor:	RL-6192 27638 US Hwy 385, Hot Springs, SD 57747	
	Off-sale Liquor:	PL-27716 27638 US Hwy 385, Hot Springs, SD 57747	
		PL-27717 47051 SD Hwy 50, Burbank, SD 57010	
	Retail Alcohol Bev:	AB-02825 620 Mitchell Ave, Steele, ND 58482	

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

2508 S Carolyn Ave, Sioux Falls, SD 57106

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date



10/18/23



Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. PL-27716

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

H & H ENTERPRISES INC  
2508 S CAROLYN AVE  
SIOUX FALLS, SD 57106

Lic # PL-27716  
COFFEE CUP FUEL STOP #9 - HOT SPRINGS  
27638 US HIGHWAY 385  
HOT SPRINGS, SD 57747-7249

Owner's Telephone#: (605) 274-2540

Business Telephone #: (605) 745-4215

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

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

Place of business is located in a municipality? [ ] Yes [X] No

County: Fall River

Do you own [X] or lease [ ] this property? (Check one)

Are real property taxes paid to date? [X] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

Tract A-1, Tract A-2, (excludes Lot H1), and tract B in the NW 1/4 of Section 34, Twsp 7S, Range 6E, Fall River County, Hot Springs, South Dakota, according to the recorded plat thereof

Is this License in active use? [X] Yes [ ] No

E. State Sales Tax Number: 1031-5042-ST

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [X] Yes [ ] No **If Yes, please list on the back page**

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? X

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

Date 10/18/2023 Print Name Lisa Heinz Signature *Lisa Heinz*

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

OCT 27 2023

BY: .....

#### For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side

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

Name of corporation/partnership/LP/LLC H&H Enterprises, Inc.

Address of office and principal place of business of corporation/partnership/LP/LLC 2508 S Carolyn Ave, Sioux Falls, SD 57106

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

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

Name	Office	Address	Occupation
Tom Heinz	President	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Owner/Operator
Chris Heinz	Vice President	1319 N Olde Wagon Rd, Sioux Falls, SD 57110	Director of Operations & Finance
Ericka Schapekahm	Director	215 Court St, Vermillion, SD 57049	Human Resources Director
Jane Heinz	Director	353 W Sawgrass Tr, Dakota Dunes, SD 57049	Director of Inside Sales
Richard Heinz	Director	3201 S Covell Ave, Sioux Falls, SD 57105	Truck Driver
Taite Heinz	Director	1319 N Olde Wagon Rd, Sioux Fall, SD 57110	Operations Coordinator

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location		
See above	Beer:	RB-3217 47051 SD Hwy 50, Burbank, SD 57010	
		RB-2632 27638 US Hwy 385, Hot Springs, SD 57747	
		RB-2824 45789 US Hwy 12, Summit, SD 57266	
	Wine:	RW-19559 45789 US Hwy 12, Summit, SD 57266	
		RW-19495 47051 SD Hwy 50, Burbank, SD 57010	
		RW-19689 27638 US Hwy 385, Hot Springs, SD 57747	
	On-sale Liquor:	RL-6192 27638 US Hwy 385, Hot Springs, SD 57747	
	Off-sale Liquor:	PL-27716 27638 US Hwy 385, Hot Springs, SD 57747	
		PL-27717 47051 SD Hwy 50, Burbank, SD 57010	
	Retail Alcohol Bev:	AB-02825 620 Mitchell Ave, Steele, ND 58482	

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

2508 S Carolyn Ave, Sioux Falls, SD 57106

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date



10/18/2023



Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. PL-27818

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

BILLIE J BESCO  
28041 US HIGHWAY385  
HOT SPRINGS, SD 57747-7363

Lic # PL-27818  
ANGOSTURA DEN  
28041 US HIGHWAY385  
HOT SPRINGS, SD 57747-7363

Owner's Telephone#: \_\_\_\_\_

Business Telephone #: 605 745 5456

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

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

Place of business is located in a municipality? [ ] Yes [X] No

County: Fall River

Do you own [X] or lease [ ] this property? (Check one)

Are real property taxes paid to date? [X] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

Tract 2 NW 1/4 Sect 34  
Twp 7 R9 6  
East of BH Meridian

Is this License in active use? [X] Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses?  
[ ] Yes [X] No **If Yes, please list on the back page**

E. State Sales Tax Number: 1038-1102-ST

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? [X]

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

Date 10/2/23 Print Name Billie Besco Signature B Besco

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

RECEIVED  
OCT 03 2023

BY: [Signature]

For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side





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

Name of corporation/partnership/LP/LLC \_\_\_\_\_

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

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

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

Name	Office	Address	Occupation
------	--------	---------	------------

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
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Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

---

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

---

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RL-6369

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

BILLIE J BESCO  
28041 US HIGHWAY385  
HOT SPRINGS, SD 57747-7363

Lic # RL-6369  
ANGOSTURA DEN  
28041 US HIGHWAY385  
HOT SPRINGS, SD 57747-7363

Owner's Telephone#: \_\_\_\_\_

Business Telephone #: 605 745 5456

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

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

Place of business is located in a municipality? [ ] Yes  No

County: Fall River

Do you own  or lease [ ] this property? (Check one)

Are real property taxes paid to date?  Yes [ ] No

Are you of good moral character having never been convicted of a felony?  Yes [ ] No

D. Legal description of licensed premise:

Tract 2 NW 1/4 Sect 34  
Twp 7 R96  
East of B.M. meridian

Is this License in active use?  Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses?  
[ ] Yes  No **If Yes, please list on the back page**

E. State Sales Tax Number: 1038-1102-ST

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

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

Date 10/2/23 Print Name Billie Besco Signature [Signature]

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

RECEIVED  
OCT 03 2023

BY: [Signature]

For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side

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

Name of corporation/partnership/LP/LLC \_\_\_\_\_

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

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

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

Name	Office	Address	Occupation

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location

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

\_\_\_\_\_

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

\_\_\_\_\_





Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RR-21197

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

ANGOSTURA RESORT MANAGEMENT, INC  
2504 W MAIN ST  
RAPID CITY, SD 57702-2424

Lic # RR-21197  
INFERNO ON THE BEACH  
28075 RECREATION RD  
HOT SPRINGS, SD 57747-7323

Owner's Telephone#: (134) (605) 343-1966

Business Telephone #: 605-745-4100

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

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

Place of business is located in a municipality? [ ] Yes [X] No

County: Fall River

Do you own [X] or lease [ ] this property? (Check one)

Are real property taxes paid to date? [X] Yes [ ] No

Are you of good moral character having never been convicted of a felony? [X] Yes [ ] No

D. Legal description of licensed premise:

The north half (N 1/2) of the north half (N 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28 Township 8 South Range 6 East of the B.M. Fall River County, SD

Is this License in active use? [X] Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [X] Yes [ ] No **If Yes, please list on the back page**

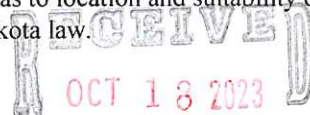
E. State Sales Tax Number: 1028-4602-ST

F. New license? \_\_\_\_\_ Transfer? (\$150) \_\_\_\_\_ Re-issuance? [X]

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

Date 10/10/23 Print Name E. Steve Mendele Signature [Signature]

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



BY: .....

For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side



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

Name of corporation/partnership/LP/LLC Angostura Rest Management dba La Fern No on the Beach

Address of office and principal place of business of corporation/partnership/LP/LLC 254 W. Main St Rapid City SD

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

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

Name	Office	Address	Occupation
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Please see Attachment #1

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
------	--

Please see Attachment #2

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

Mojave Petroleum Company 253 W. Main Street, Rapid City SD 57702  
- Corporate

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

B. Steve Monte

10/10/23



14

For attachment to Renewal of License and/or Permit Application for Moyle Petroleum Company

Moyle Petroleum Company, 2504 W. Main Street, P.O. Box 2860, Rapid City, SD 57702 (605) 343-1966						
True and Correct Name	Date of Birth	Residence Address	Residence Phone	# of years in Corp.	% of Stock Held	
Gilbert D. Moyle President	6/8/1958	9615 Sheridan Lake Road, Rapid City, SD 57702	605-343-2677	43	50%	
Clark D. Moyle Vice President	9/10/1959	9825 Sheridan Lake Road, Rapid City, SD 57702	605-342-9247	40	50%	
E. Steve Mentele Secretary/Treasurer	1/17/1956	3315 Flint Drive, Rapid City, SD 57702	605-341-6315	38	0%	



#2

**Moyle Petroleum Company**  
**Liquor License Tracking - South Dakota**  
 As of February, 2023

Store	Location	PB Package Off-Sale Malt Beverage	RL Retail On-Sale Liquor	RB Retail On-Off Sale Malt Beverage & SD Farm Wine	RW Retail On-Off Sale Wine & Cider	PL Package Liquor	RR Retail Restaurant (all alcohol)	TA Transporters Alcohol	CL Convention Center
102	LaCrosse			X - RB-25643	X - RW-23107				
104	Omaha Street			X - RB-25638	X - RW-23109	X - PL-28706			
105	Sheridan Lake Rd.			X - RB-25639	X - RW-28631	X - PL-29059		X - TA-21498	
106	E. North Street			X - RB-25634		X - PL-4771			
107	Canyon Lake			X - RB-25637	X - RW-23110				
108	Rushmore Road			X - RB-25641	X - RW-23108	X - PL-28704			
109	Hwy 44			X - RB-25636	X - RW-22933	X - PL-5004			
111*	Wall			X - RB-25595					
113	Angostura C-Store			X - RB-2695					
114	Angostura - Inferno on the Beach			X - RB-2690	X - RW-6483		X - RR-21197	X - TA-21244	
120	Sturgis			X - RB-3176	X - RW-23117				
121	Lead			X - RB-1666		X - PL-4647			
122	Spearfish			X - RB-1352					
123	Belle Fourche			X - RB-2222					
125	Elk Vale Rd.			X - RB-3026		X - PL-4764			
140	Custer			X - RB-2158					
509	Inferno Food by Fire		X - RL-6122						
776	Shooters		X - RL-5658	X - RB-2963					
	Super G Investments Corp.		X - RL-5538	X - RB-2512	X - RW-6436				
	Hotel Franklin			X - RB-2659	X - RW-6643				
	Black Hills Chairlift Co LLC		X - RL-6004	X - RB-3080					X - CL-506

\*The City of Wall has decided that businesses that do not serve food cannot utilize the "on-sale" portion of the RB On and Off Sale License, but can do wine samplings.

PB PB licensees can sell malt beverages for off premises consumption.  
 RL Retail Liquor can sell liquor on-sale within city limits (Bars/Restaurants).  
 RB RB licensees can sell malt beverages and SD made wine for on & off premises consumption.  
 RW RW licensees can sell all types of wine & cider, for on & off premises consumption.  
 PL PL licensees can sell malt beverages, wine and spirits (all alcoholic beverages) for off premises consumption.  
 RR Retail Restaurant licensees can sell malt beverages, wine and spirits (all alcoholic beverages) for on premises consumption.  
 TA Liquor and wine licensees transporting their own product from wholesalers to their retail stores. Per Marmie at State of SD, this particular license was abolished during the 2018 legislative session. No longer needed - a store with a valid alcohol license can get their supplies either delivered or they can pick up. It is now part of the regular alcohol license

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. PL-27777

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

LARRY N FORNEY  
PO BOX 153  
OELRICHS, SD 57763-0153

Lic # PL-27777  
FORNEYS STANDARD SERVICE  
29098 HIGHWAY385  
OELRICHS, SD 57763-7829

Owner's Telephone#: 605 536 2761

Business Telephone #: (605) 890-9903

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

Place of business is located in a municipality? [ ] Yes [ ] No

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

County: Fall River

Do you own  or lease [ ] this property? (Check one)

Are real property taxes paid to date?  Yes [ ] No

Are you of good moral character having never been convicted of a felony?  Yes [ ] No

D. Legal description of licensed premise:

12-10-7

Is this License in active use? [  ] Yes [ ] No

E. State Sales Tax Number: 1001-0673-ST

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [ ] Yes  No **If Yes, please list on the back page**

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

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

Date 10-6-23 Print Name LARRY N. FORNEY Signature [Signature]

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

RECEIVED  
OCT 10 2023

BY: BJ

#### For Local Government Use

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant



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

Name of corporation/partnership/LP/LLC \_\_\_\_\_

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

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

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

Name	Office	Address	Occupation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

\_\_\_\_\_

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

\_\_\_\_\_

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

2024

License No. RL-5711

### Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

TTT TAVERNS LLC  
13393 LAKE VISTA DR  
HOT SPRINGS, SD 57747-5000

Lic # RL-5711  
PIRATES PUB  
28298 ANGOSTURA RD  
HOT SPRINGS, SD 57747-7264

Owner's Telephone#: (605) 484-2706

Business Telephone #: \_\_\_\_\_

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

Place of business is located in a municipality? [ ] Yes [ ] No

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

County: Fall River

Do you own  or lease [ ] this property? (Check one)

Are real property taxes paid to date?  Yes [ ] No

Are you of good moral character having never been convicted of a felony?  Yes [ ] No

D. Legal description of licensed premise:

Angostura Highlands subd Lot 1 Section 35, Twp 8, Rge 6E, BHM, Fall River Co, SD.

Is this License in active use?  Yes [ ] No

E. State Sales Tax Number: 1036-2458-ST

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [ ] Yes  No If Yes, please list on the back page

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

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

Date 10/20/23 Print Name Scott H. Jaeger Signature Scott H. Jaeger

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

RECEIVED  
OCT 10 2023

BT  
BY: .....

For Local Government Use

(Seal) \_\_\_\_\_  
Mayor or Chairman

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side



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

Name of corporation/partnership/LP/LLC TTT TAVENS LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 13393 Lake Vista Dr H.S.

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

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

Name	Office	Address	Occupation
<u>Scott H. Taecker</u>	<u>Managing Member</u>	<u>13393 Lake Vista Dr H.S.</u>	<u>Business owner</u>

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?  
Scott H. TAECER (sole member / mang. member / Registered Agent 13393 Lake Vista Dr H.S SD 57747)

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

Scott H. Taecker

10/10/23

Date Received \_\_\_\_\_  
Date Issued \_\_\_\_\_

# 2024

License No. PL-27888

## Uniform Alcoholic Beverage License Application

A. Corporation, LLC, or Sole Proprietor Name and Mailing Address

B. Doing Business As Name and Physical Address

TTT TAVERNS LLC  
13393 LAKE VISTA DR  
HOT SPRINGS, SD 57747-5000

Lic # PL-27888  
PIRATES PUB  
28298 ANGOSTURA RD  
HOT SPRINGS, SD 57747-7264

Owner's Telephone#: (605) 484-2706

Business Telephone #: (605) 484-2706

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

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

Place of business is located in a municipality? [ ] Yes [ ] No

County: Fall River

Do you own  or lease [ ] this property? (Check one)

Are real property taxes paid to date?  Yes [ ] No

Are you of good moral character having never been convicted of a felony?  Yes [ ] No

D. Legal description of licensed premise:

Angostura Highlands Subd lot 1 Sec 35, Twp 8, Rge 6E, BHM, Fall River Co, SD.

Is this License in active use?  Yes [ ] No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses? [ ] Yes  No **If Yes, please list on the back page**

E. State Sales Tax Number: 1036-2458-ST

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

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

Date 10/10/23 Print Name Scott H. Taecker Signature Scott H. Taecker

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

RECEIVED  
OCT 10 2023

BY: BJ

**For Local Government Use**

Renewal - no public hearing held   
Amount of fee collected with application \$ \_\_\_\_\_  
Amount of fee retained \$ \_\_\_\_\_  
Forwarded with application \$ \_\_\_\_\_

(Seal) \_\_\_\_\_  
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Please complete reverse side



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

Name of corporation/partnership/LP/LLC TTT TAVERNS LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 13393 Lake Vista Dr H.S. 57747

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

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

Name	Office	Address	Occupation
<u>Scott H. Taecker</u>	<u>MANAGING MEMBER</u>	<u>13393 Lake Vista Dr H.S. SD 57747</u>	<u><del>OWNER</del> BUSINESS OWNER</u>

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

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?  
Scott H. Taecker (Sole Member / MANAGING MEMBER / Reg. Agent) 13393 Lake Vista Dr H.S. SD 57747

**With signature the applicant agrees to the following:**

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

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

Signature of Authorized Officer/Director/Partner

Date

Scott H. Taecker

10/10/23

PREPARED BY: Lindsay & Dustin Lopez  
Name: Lopez  
Address: 28447 Cascade RD  
Pruvo, SD 57735  
Telephone #: (605) 431-5355

**FALL RIVER COUNTY  
PIPELINE EASEMENT**

This Pipeline Easement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between Fall River County, a political subdivision of the State of South Dakota, Grantor, hereinafter referred to as "County" acting by and through its Board of County Commissioners and Dustin Lopez and Lindsay Lopez, Landowner(s), hereinafter referred to as "Grantee(s)", whose Post Office address is (are): 28447 Cascade RD, Pruvo, SD 57735 and \_\_\_\_\_.

**I.**

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

Easement to be in that area adjacent to the SE Quarter of Section 16 in Township 10S, Range 4E, and the SW Quarter of Section 15 in Township 10S, Range 4E, of the Black Hills Meridian, Fall River County, South Dakota.

And

The pipeline to run from the SE Quarter of Section 16 in Township 10S, Range 4E, to the SW Quarter of Section 15 in Township 10S, Range 4E, of the Black Hills Meridian, Fall River County, South Dakota.

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

**II.**

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

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



## *PIPELINE EASEMENT CONT'D*

advance, before pipe is placed or covered.

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

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

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

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

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

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

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

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

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

**PIPELINE EASEMENT CONT'D**

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

**III.**

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

**IV.**

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

Fall River County, Grantor

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

Chairman

Fall River County Commissioners

ATTEST:

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

STATE OF SOUTH DAKOTA)

SS)

COUNTY OF FALL RIVER )

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

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

My Commission Expires:

\_\_\_\_\_

(SEAL)

Notary Public – South Dakota



PIPELINE EASEMENT CONT'D

Owner as Grantee

By: [Signature] and [Signature]

STATE OF South Dakota)

COUNTY OF Fall River)  
SS)

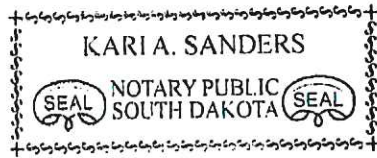
On this 2nd day of November, 2023, before me,  
Kari A. Sanders, the undersigned officer, personally known to  
me or satisfactorily proven to me to be the person(s) whose name(s) is/are subscribed to  
the foregoing instrument and acknowledged to me that they executed the same for the  
purpose therein contained.

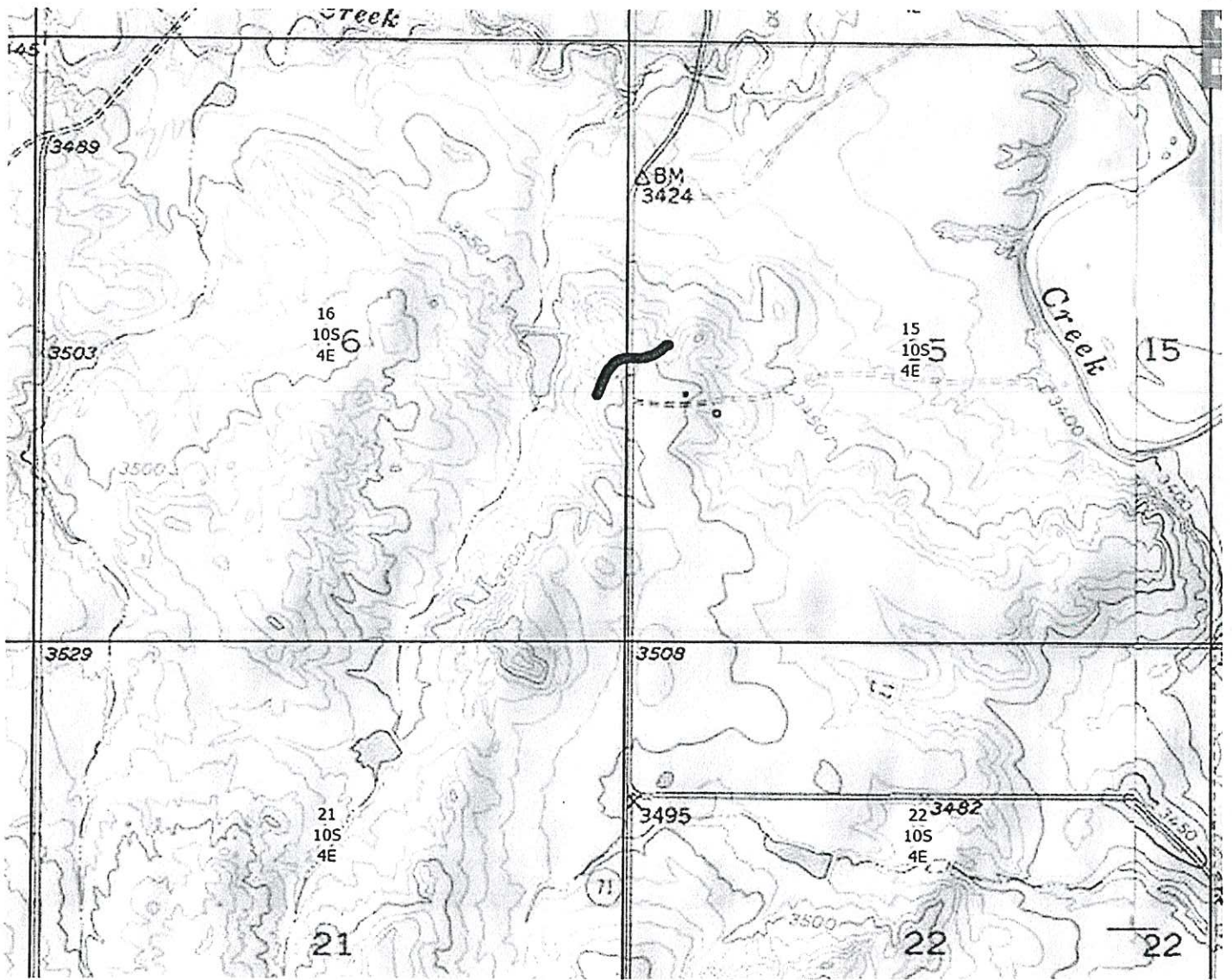
IN THE WITNESS WHEREOF I hereunto set my hand and official seal.

[Signature: Kari A. Sanders]  
Notary Public

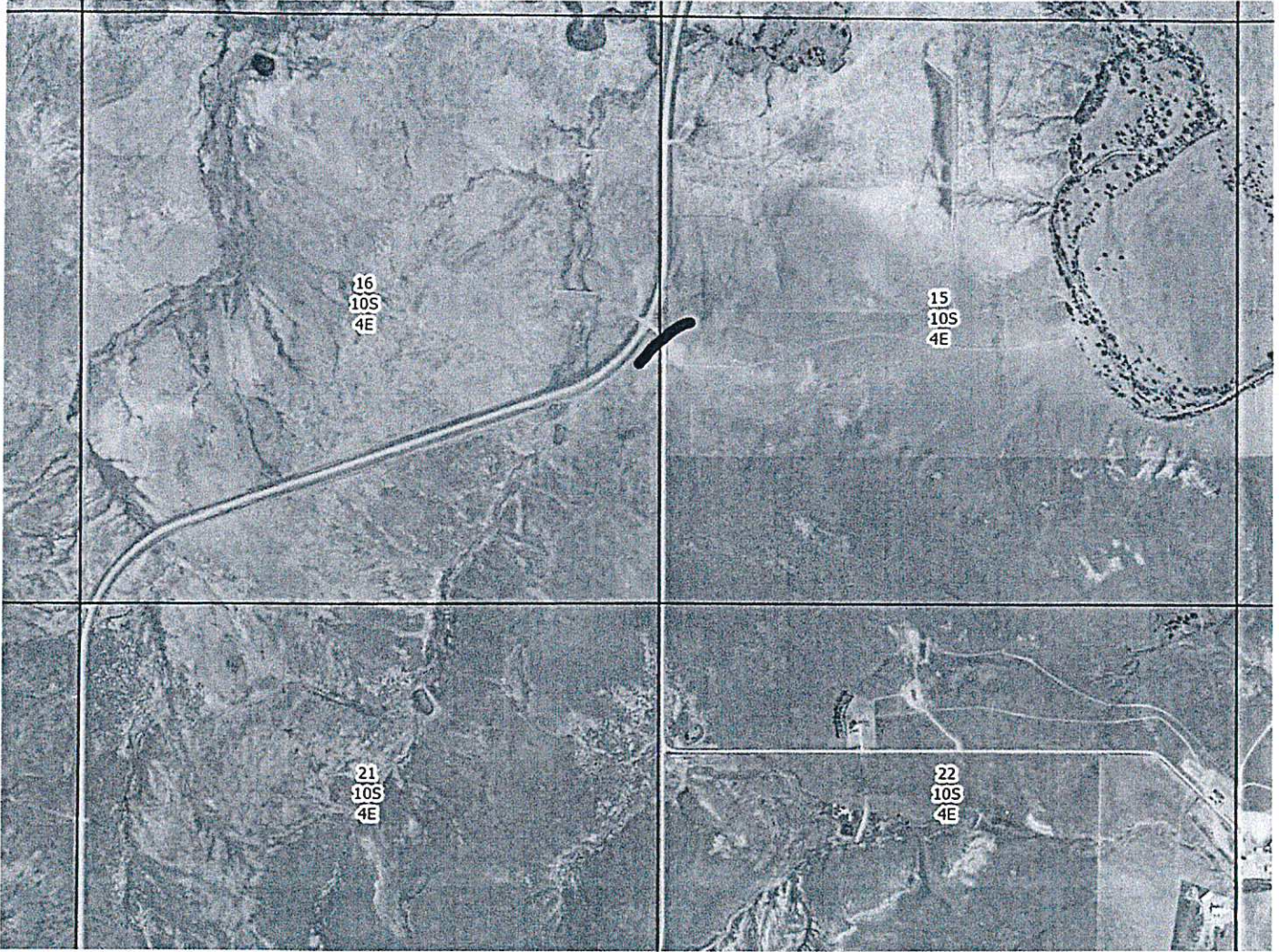
My commission Expires: 4-18-2026

(SEAL)









16  
10S  
4E

15  
10S  
4E

21  
10S  
4E

22  
10S  
4E



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

On this date 11-13-23, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the West side of (road name) North Butte (road #) 2 approximately at 1/10 mile north of Dead Tree Rd. The road approach will serve a residence and will be (residence, church, business, etc.)

constructed between 11-20-23 and 11-25-23 at applicant's expense.  
(beginning date) (completion date)

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

Name: Joseph A Astin Address: 28354 Grange Rd Smithwick SD  
Phone #: 605 890 3791 Signed: Joseph Astin  
(Property Owner)

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

Permit #: 11-13-23  
MO/DY/YR

PRELIMINARY INSPECTION: Date 11-13-23 By: Randy Seitz

Culvert Diameter 0 Culvert Length 0

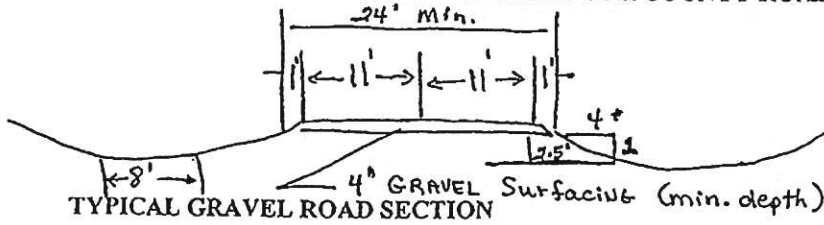
The crown of the presently traveled surface, including shoulder, to be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road-shoulder facing the property.  
Remarks: \_\_\_\_\_

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

Randy Seitz Date: 11-13-23  
Superintendent/Foreman

FALL RIVER COUNTY HIGHWAY DEPARTMENT  
SPECIFICATIONS FOR COUNTY ROADS AND APPROACHES

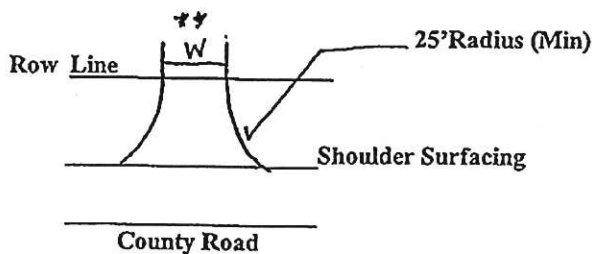


\* Maximum slope is 4 to 1 (current Standard of the South Dakota DOT Steeper slopes are subject to the Approval of Fall River County

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

The following are standards which shall be met:

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



\*\* W Is Surface Width at Right-Of- Way line  
W - 16' Min. for Single Residences  
W - 20' Min for Multiple Residences  
W - 28' Min. for Commercial  
Maximum W - 50'

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

APPROVED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
(Chairman) FALL RIVER COUNTY COMMISSIONERS

RECOMMENDED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
FALL RIVER COUNTY HIGHWAY SUPERINTENDENT







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## Hot Springs FFA Ag Issues Presentation

1 message

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**White, Tanna** <Tanna.White@k12.sd.us>

Wed, Oct 25, 2023 at 9:55 AM

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

Good morning! I am reaching out to schedule the Hot Springs FFA Ag Issues team to present their topic/presentation to you at an upcoming meeting. Their topic this year is the Carbon Credits program. Could we present at the November 16<sup>th</sup> meeting? It will take approximately 12-15 minutes for them to present and answer any questions you may have. Thank you!

*Tanna White*

Lady Bison Volleyball Coach  
Hot Springs Ag Ed/FFA Advisor  
Hot Springs High School  
1747 Lincoln Ave  
Hot Springs, SD 57747



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

Nebraska National Forests and Grasslands / Fall River Ranger District

File Code: 1950  
November 2023

# Crowe Dam Habitat Improvement Scoping Letter





**For more information, contact:**

**Julie Wheeler  
District Ranger  
605-745-8212  
Julie.Wheeler@usda.gov**

We make every effort to create documents that are accessible to individuals of all abilities; however, limitations with our word processing programs may prevent some parts of this document from being readable by computer-assisted reading devices. If you need assistance with any part of this document, please contact the Nebraska National Forests and Grasslands at (308)432-0300.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.

Cover Photo: Crowe Dam  
Courtesy of Ryan Cumbow, Nebraska National Forests and Grasslands, Zone Fire Management Officer

## Background

The Crowe Dam pasture is designated as a Special Plant and Wildlife Habitat Management Area. These areas are managed to maintain and enhance specific plant and wildlife species at risk and plant and wildlife communities. Habitat enhancement through improved management and close coordination with other resources is the goal of this management area. Surrounding private lands are primarily managed for livestock grazing opportunities. Recreation such as hunting, fishing, and bird watching are the primary uses of this area.

## Location

This pasture is located approximately 5 miles southeast of Provo, SD or 4 miles west of Rumford, SD in Fall River County. This approximately 260-acre pasture is situated between Fall River County Road 7 and 7B (Figure 1).

## National Environmental Policy Act

Decisions on how to manage your National Forests and Grasslands follow a public process referred to as the NEPA process. The National Environmental Policy Act (NEPA) requires federal agencies to disclose the effects of our proposed actions and to include public participation in our decisions. The Nebraska National Forests and Grasslands Plan provides the overall direction on how we manage the Forests and Grasslands. Additional laws, rules, regulations help guide and govern this decision process. If a determination is made that no extraordinary circumstances exist, this project can be categorically excluded from documentation in an Environmental Assessment or an Environmental Impact Statement. The appropriate categorical exclusion (CE) category for this action is found under 36 CFR 220.6(e)(6), timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction.

## Purpose and Need

The purpose of the project is to enhance native vegetation composition while increasing habitat diversity for wildlife.

This project is needed to manage the encroachment of invasive, noxious, and nonnative vegetation that is reducing habitat diversity for nesting birds and associated wildlife species throughout the Crowe Dam pasture.

## Proposed Action

The Crowe Dam Habitat Improvement Project proposes to use prescribed fire as a vegetation management tool within the approximately 260 acres of the Crowe Dam Pasture on the Buffalo Gap National Grassland. Two administrative (not open to public use) creek crossings upstream of Crowe Dam to improve access for current and future management actions are also proposed (Figure 1). The drainages upstream of Crowe Dam, within the U.S. Forest Service boundary, create access issues for motorized vehicles, including emergency equipment such as fire engines. Construction methodology will be in accordance with the Nebraska National Forests and Grasslands Land and Resource Management Plan standard that states, "design and construct all stream crossings and other instream structures to provide for passage of flow and sediment, withstand expected flood flows, and allow free movement of resident aquatic life" (pg. 1-10). These crossings include the placement of a rock ford into the drainages at levels low enough to meet the above stated standard.



Additional management actions to assist in this habitat improvement may include haying or mowing of prescribed fire perimeter containment lines and post fire livestock grazing, as designated by U.S. Forest Service specialists and the Allotment Management Plan.



**Figure 1. Livestock grazing post-prescribed fire on Fort Pierre National Grassland (Spring 2023).**

## **Land and Resource Management Plan**

The Nebraska National Forests and Grasslands Land and Resource Management Plan offers guidance for all resource management activities on our forests and grasslands. Specific to this proposed action, Crowe Dam is designated as a Special Plant and Wildlife Area (pg. 2-43). Guidelines for this area state that vegetation will be managed to enhance and maintain the habitat for waterfowl and shorebirds. This can be done by maintaining quality nesting and brooding habitat on adjacent upland grasslands. Further guidance addresses the consideration for the use of grazing or prescribed burning periodically to meet these management objectives.

## **Implementation**

This scoping letter represents an early stage in the analysis process. After analyzing any comments received, we will identify and consider any issues raised and work to finalize a Proposed Action. Our plan is to complete the NEPA analysis and issue a decision by December 2023. Implementation is expected to occur during the Spring 2024.

## Comments

This is an opportunity to comment under 40 CFR 1506.6 of the National Environmental Policy Act as well as under Section 106 of the National Historic Preservation Act. Archaeological review and any required survey of the proposed project area will occur prior to project implementation.

Comments received in response to this solicitation that include the name and address of the commentor will be considered part of the public record on this proposed action and would be available for public viewing through the Freedom of Information Act.

Please respond with comments specific to this proposal by December 7<sup>th</sup>, 2023.

Submit comments to the District Ranger, Julie Wheeler, by one of the following methods: mail: 1801 Highway 18 Truck Bypass, Hot Springs, SD 57747, telephone: 605-745-4107, or via project website <https://www.fs.usda.gov/project/?project=63631> by clicking on "Comment/Object on Project" on the right side of the page. Office hours, for those who wish to hand deliver their comments, are 8:00am to 4:30pm Monday – Friday (except Federal holidays).

Sincerely,

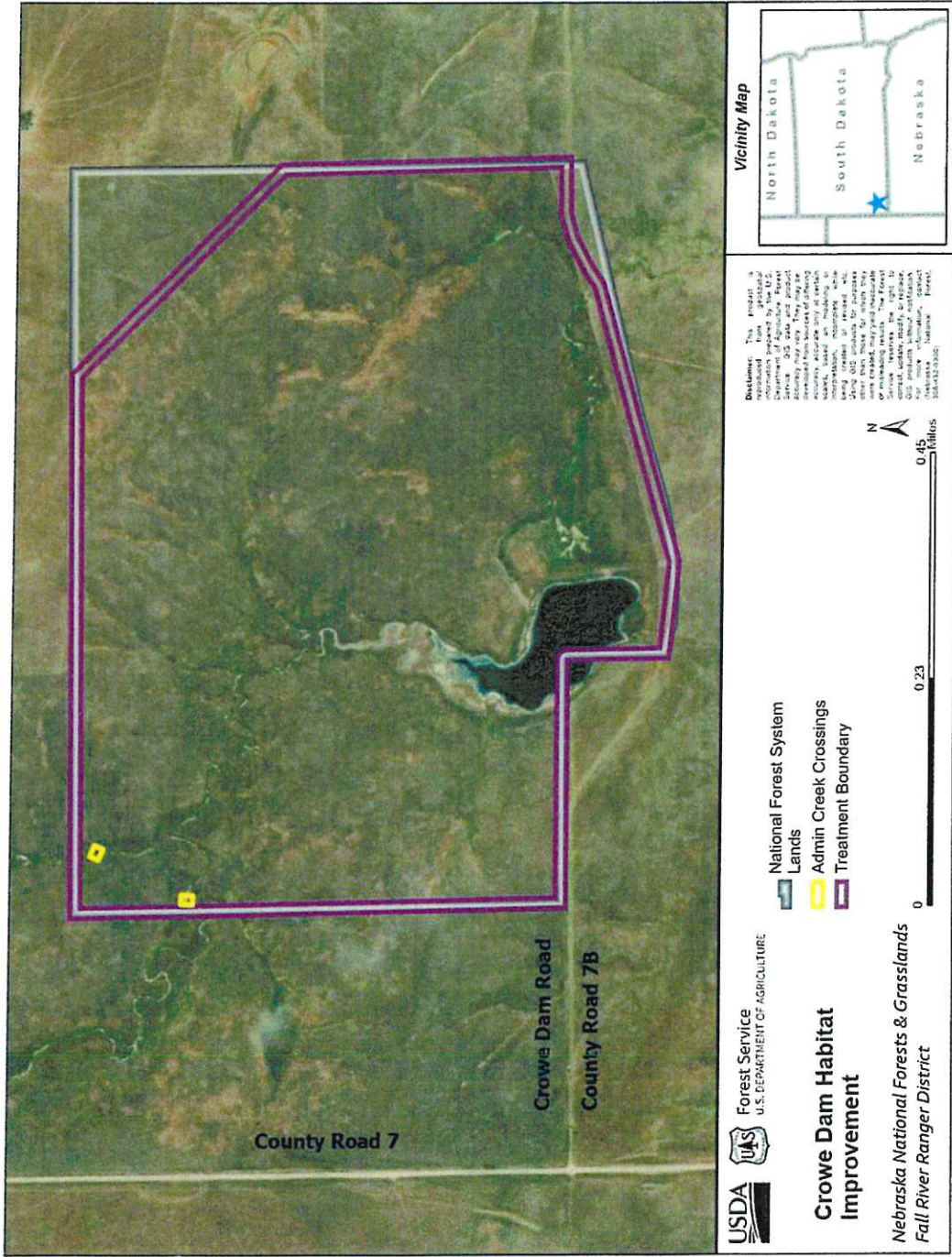
**JULIE**  
**WHEELER**

Digitally signed by  
JULIE WHEELER  
Date: 2023.11.07  
08:30:39 -07'00'

Julie Wheeler  
District Ranger



Figure 2. Crowe Dam Proposed Project Area and Actions





FS Agreement No. \_\_\_\_\_  
Cooperator Agreement No. \_\_\_\_\_

**COOPERATIVE FOREST ROAD AGREEMENT**  
**Between The**  
**And The**  
**USDA, FOREST SERVICE**

**PARTIES TO AGREEMENT:** This agreement, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the \_\_\_\_\_, hereinafter referred to as "\_\_\_\_\_", and the USDA, Forest Service \_\_\_\_\_, hereinafter referred to as the "U.S. Forest Service."

**PURPOSE OF AGREEMENT:** The purpose of this agreement is to set forth the general terms and conditions, acceptable to the parties hereto, for the cooperative planning, survey, design, construction, reconstruction, improvement, and maintenance of certain Forest Roads in \_\_\_\_\_, State of \_\_\_\_\_, pursuant to the provisions of 16 U.S.C. 532-538, 23 U.S.C. 205, and the regulations issued by the Secretary of Agriculture.

The Congress has, from time to time, authorized and appropriated funds for "Forest Roads," which are defined as "those Forest roads of primary importance for the protection, administration, and utilization of the National Forests, or where necessary, for the use and development of the resources upon which communities within or adjacent to the National Forests are dependent." Recognizing that substantial benefits will accrue to the Nation and to the State from the construction, reconstruction, improvement, maintenance, and use of certain Forest roads and roads on the State or local road system over which \_\_\_\_\_ has/have jurisdiction, and further that such roads carry substantial volumes of public service traffic as well as National Forest traffic, and further that \_\_\_\_\_ has/have road construction, reconstruction, improvement, maintenance, and right-of-way acquisition facilities available to assist in the accomplishment of the work, it is accordingly deemed fitting and desirable to the parties hereto to express by this agreement the general terms of their mutual cooperation in that regard to achieve the maximum benefits therefrom in the public interest.

1. **INTENT TO COOPERATE.** It is the intention of the parties under this agreement to cooperate as follows:
  - a. Agree that certain roads under the jurisdiction of \_\_\_\_\_ or the U.S. Forest Service which serve the National Forest and also carry traffic which is properly the responsibility of \_\_\_\_\_ should be maintained and, if necessary, improved to a standard adequate to accommodate safely and economically all traffic which uses such roads.
  - b. Agree on the identification of roads or road segments which meet the criteria in item a by a listing and appropriate maps.





- c. Provide for formal meetings and informal consultation on a regular basis to discuss and agree on action with respect to the roads identified pursuant to item b.
  - d. Provide for regular and adequate maintenance of the roads identified in item b, including the assignment of maintenance responsibilities.
  - e. Provide for entering into project agreements when improvements of a road under the jurisdiction of one party is to be financed in whole or in part from funds or resources provided by the other party.
  - f. Provide for appropriate jurisdictional status of roads through transfer of easements and acquisition of easements by the appropriate party.
2. **IDENTIFICATION OF ROADS.** A list of roads and segments of roads which meet the criteria set forth in item 1a is agreed upon and is marked "Schedule A" and attached as part of this agreement. Schedule A may be modified from time to time by agreement between      and U.S. Forest Service, by adding or removing roads or road segments, or by altering the description of a road or road segments, to give it proper identity. Each such modification shall be indicated by a revised Schedule A bearing the signatures of the parties or their authorized representatives and the effective date of the revision.
3. **MAINTENANCE PLANS.** At the annual meeting provided for in item 6, plans for maintaining the roads listed in Schedule A shall be agreed upon. Such plans shall include assignment of responsibility for maintenance or particular elements of maintenance to or U.S. Forest Service for each road or segment of road listed in Schedule A. To the extent practical, and subject to availability of funds, responsibility for maintenance shall be assigned in proportion to use for which each party is properly responsible.
- Maintenance shall include preserving and keeping the roads, including structures and related facilities as nearly as possible in their original condition as constructed or reconstructed to provide satisfactory and safe road service.
- Maintenance plans shall provide for prompt changes in maintenance assignments during the period of the plan upon agreement by the parties or their designated representatives.
4. **PROJECT AGREEMENTS.** When improvement of a road listed in Schedule A is to be financed in whole or in part from funds or resources provided by the party not having jurisdiction, the parties shall enter into a project agreement providing for performing the improvement work and its financing. A project agreement is not required for improvement of a road or a road segment over which the party performing and financing such improvement has jurisdiction. Project agreements shall be supplements to this general agreement and subject to the agreements, provisions, and conditions herein contained.
- a. A project agreement shall be entered into prior to beginning of improvement or construction work for which a project agreement is required.
  - b. The project agreement shall include the following elements:



1. Identification of road or road segment to be improved or constructed.
2. Plans and specifications for the project or provision for their development and subsequent agreement thereon.
3. Schedule of construction or improvement work and designation of the party or parties to perform the work.
4. Estimates of cost of improvement or construction.
5. Agreement as to how cost of work is to be borne including arrangements to share in the work or to deposit funds with the performing party for a share of the costs.

- c. If funds are provided by \_\_\_\_\_ on an advance basis for work to be performed by the U.S. Forest Service, they shall be deposited in the Treasury of the United States to the credit of cooperative work, U.S. Forest Service. Any unused balance of cooperative funds for the purposes outlined in the project agreement shall be returned to \_\_\_\_\_ after completion of the work performed or upon agreement of the U.S. Forest Service. If the cooperative funds are made available on a reimbursement basis as the work progresses or upon its completion, the U.S. Forest Service shall submit to \_\_\_\_\_ periodic billings, but not more often than monthly, or a final billing as the case may be.

The amount of cooperative funds as set forth in the project agreement shall be the maximum commitment of \_\_\_\_\_ to the project unless changed by a modification of the project agreement.

If funds are provided by the U.S. Forest Service for work to be performed by \_\_\_\_\_ the arrangements shall be set forth in the project agreement. Payments to \_\_\_\_\_ shall be made as provided for in the project agreement.

If it appears that the project cost may exceed the estimate and additional funds may be needed, no obligation shall arise against the Federal government with respect to the increased cost except by modification of the project agreement prior to incurring any commitment.

5. **RIGHTS-OF-WAY.** Easements or other interests in land acquired by either party shall be adequate to serve the road needs of both parties. The party having jurisdiction of an existing road or intended to have jurisdiction of a road to be constructed shall obtain the needed rights-of-way in its name. There shall be no provisions in any easement document that will prevent the U.S. Forest Service from using or authorizing the use of roads for which Federal funds were expended. \_\_\_\_\_ must be in a position to assure the U.S. Forest Service the continuance of such uses for the period needed. The party acquiring the easement or other interest in land shall obtain such title evidence and title approval as required in its acquisitions for roads of comparable standards.





The costs of such easements or other interests in land are to be at the expense of the acquiring party.

The U.S. Forest Service shall cooperate in the procurement of rights-of-way over land administered by other agencies of the United States required for any project included under this agreement and shall furnish copies of survey notes, maps, and other records.

To the extent possible under available authority, each party agrees to convey easements over lands or interests in lands it owns or administers to the other party in order to provide jurisdiction by the appropriate party as may be agreed to for any road or road segment listed on Schedule A.

6. ANNUAL MEETING AND CONTINUING CONSULTATION. and U.S. Forest Service shall meet at least once each year to review matters covered by this agreement and to agree on actions to implement this agreement including, but not limited to, (1) approval of changes in the listing of roads on Schedule A; (2) approval of the annual maintenance plan; (3) approval of project agreements for construction or reconstruction; and (4) approval of transfer of jurisdiction of particular roads by easement conveyance. It is also the intent of the parties to arrange for continuing consultation between their representatives with the objective of reaching prompt agreement by the parties on all matters of mutual concern which are covered by this agreement. The Forest Supervisor of the National Forest for the U.S. Forest Service, and for shall be responsible for making the arrangements for formal meetings and continuing consultation.
7. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperatives, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.
8. MODIFICATION AND TERMINATION.
  - a. This agreement may be modified by mutual consent.
  - b. This agreement may be terminated by either party upon at least days prior written notice, except that such termination shall in no way affect or change any commitment made authorizing the use of roads or rights-of-way for purposes for which Federal funds were expended, or any operation in progress at time of notice, and provided that such termination shall in no way affect the agreement of the parties hereto with respect to any obligations incurred under the agreement until a full settlement has been made.



9. MISCELLANEOUS.

- a. The United States shall not be liable to the recipient for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by the recipient or any third party.
- b. Nothing herein contained shall be construed to obligate the U.S. Forest Service or beyond the extent of available funds allocated or programmed for this work, or contrary to applicable laws, rules, and regulations.
- c. No Member of, or Delegate to, the Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement or to any benefits that may arise therefrom, unless it is made with a corporation for its general benefit.
- d. Where applicable, any contract, agreement, or understanding entered into pursuant to this agreement providing for work to be performed shall include the requirements of Federal laws, Executive orders, and Regulations.

10. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

**Principal Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: Address: City, State, Zip: Telephone: FAX: Email:	Name: Address: City, State, Zip: Telephone: FAX: Email:

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
--	---





Name:	Name:
Address:	Address:
City, State, Zip:	City, State, Zip:
Telephone:	Telephone:
FAX:	FAX:
Email:	Email:

11. ASSURANCE REGARDING FELONY CONVICTION OR TAX DELINQUENT STATUS FOR CORPORATE ENTITIES. This agreement is subject to the provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, P.L. No. 112-74, Division E, Section 433 and 434 as continually by Consolidated and Further Continuing Appropriations Act, 2013, P.L. No. 113-6, Division F, Title I, Section 1101 (a)(3) regarding corporate felony convictions and corporate federal tax delinquencies. Accordingly, by entering into this agreement acknowledges that it: 1) does not have a tax delinquency, meaning that it is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal violation under any Federal law within 24 months preceding the agreement, unless a suspending and debaring official of the United States Department of Agriculture has considered suspension or debarment is not necessary to protect the interests of the Government. If fails to comply with these provisions, the U.S. Forest Service will annul this agreement and may recover any funds has expended in violation of sections 433 and 434.
  
12. SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM). shall maintain current information in the System for Award Management (SAM) until receipt of final payment. This requires review and update to the information at least annually after the initial registration, and more frequently if required by changes in information or agreement term(s). For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at [www.sam.gov](http://www.sam.gov).
  
13. COMMENCEMENT/EXPIRATION DATE. This agreement is executed as of the date of last signature and is effective through at which time it will expire. The expiration date is the final date for completion of all work activities under this agreement.



14. AUTHORIZED REPRESENTATIVES. By signature below, the parties certify that the individuals listed in this document as representatives of each party are authorized to act in their respective areas for matters related to this agreement.

This agreement shall be effective as of the date herein written and shall supersede all prior existing agreements, if any, for the same roads.

\_\_\_\_\_  
, Date

\_\_\_\_\_  
, Date  
U.S. Forest Service,

\_\_\_\_\_  
Date  
County Commissioner

The authority and format of this agreement have been reviewed and approved for signature.

\_\_\_\_\_  
Date  
U.S. Forest Service Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).





USDA, Forest Service

OMB 0596-0217  
FS-1500-9

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

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2. Upon request of a forest officer, provide dispatcher services for routine identification checks, wants/warrants checks, motor vehicle registration queries, and officer welfare checks.
3. Special enforcement situations; includes but is not limited to fire emergencies, drug enforcement, and certain group gatherings.

### **31.13 - Form of Agreement**

See section 39.1 for a sample agreement.

Follow the direction described in section 14.3 of this handbook, and use FS-1500-8, Cooperative Law Enforcement Agreement, for this authority.

### **31.2 - Cooperative Forest Road Agreements - National Forest Roads and Trails Act of October 13, 1964, (16 U.S.C. 532-538, Pub. L. 88-657) and Surface Transportation Act of 1978 (23 U.S.C. 101 & 205.)**

#### **31.21 - General Requirements**

1. Purpose. This authority allows the Forest Service to work cooperatively with State, county, or local public road authorities for the cooperative planning, survey, design, construction, reconstruction, improvement, and maintenance of certain "Forest Roads." (Note "National Forest System Road" is also defined in 36 CFR 212.1). These agreements accomplish two purposes set forth in Title 36, Code of Federal Regulations, part 212:

a. Existing or proposed forest roads that are or will be part of a transportation system of a State, county, or other local public road authority. Forest roads that are or will be part of a transportation system of a State, county, or other local public road authority and are on rights-of-way held by a State, county, or other local public road authority may be constructed, reconstructed, improved, or maintained by the Forest Service when there is an appropriate agreement with the State, county, or other local public road authority under Title 23, United States Code, section 205 and the construction, reconstruction, improvement, or maintenance is essential to provide safe and economical access to National Forest System lands (36 CFR 212.7a).

b. Maintenance and reconstruction of National Forest System roads by users. The Chief may require, but not in conflict with an existing permit, easement, contract, or other agreement, the user or users of a road, including purchasers of Government timber and other products, to maintain the roads in a satisfactory condition commensurate with the particular use requirements of each. The maintenance to be borne by each user must be proportionate to total use and no individual user shall be required to perform or bear the costs of maintenance other than that commensurate with their use [36 CFR 212.5d(1)].

2. Cooperators. State, county, or local public road authorities.





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3. Funding/Contributions. The Forest Service and cooperator may contribute funds. Funds may be exchanged between the parties for work. These agreements may be used as a means to pay the cooperator to perform work that is the Forest Service's responsibility (23 USC 205). A matching requirement is not applicable.

When reconstruction or improvement of a road listed in Schedule A of a Forest Road Agreement is to be financed in whole or in part from funds or resources provided by the party not having jurisdiction, the parties shall enter into a project agreement providing for performing the improvement work and its financing. (See sec. 31.21, para. 7c)

Normally the Forest Service may only spend funds on roads under its jurisdiction (23 USC 205/23 USC 101). The one exception is roads identified on Schedule A of a Forest Road Agreement wherein the Forest Service may spend funds on improvements to roads under the cooperator's jurisdiction. Comptroller General Decision B-150239 of April 24, 1963, ruled that the Forest Road Agreement granted proper authority to protect the interests of the United States.



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The Forest Service may reimburse the cooperator up to 100 percent of their costs, both for in-house costs and/or contract costs, to perform the Forest Service's share of the work on roads identified on Schedule A; although there is usually some cooperative financing of improvement projects. Improvements may be handled the other way around, as well, with the cooperator reimbursing the Forest Service to perform the work. Since there is no standard template for project agreements, ensure the appropriate fund transferring provision is included.

4. Advance and Reimbursable Payments. When cooperator contributions are expected, the cooperator may provide either advance or reimbursable payments. When Forest Service contributions are expected, the Forest Service may provide either advance or reimbursable payments.

5. Employee Status. Employees of the cooperating agency shall at all times be subject only to the laws, regulations, and rules governing their employing agency, and shall not be entitled to compensation or other benefits of any kind other than specifically provided by the terms of their employment.

6. Liability. Liability is not addressed in the standard agreement. Each party is responsible for the actions of its employees and for professional engineering judgments of its employees.

Project agreements for reconstruction or improvement of roads should specifically assign responsibility for review and approval of designs. When review and approval is the responsibility of the Forest Service, it must follow procedures in FSH 7721. When review and approval is the responsibility of the cooperator, it must be in accordance with State statutes. It is undesirable for both parties to approve designs, as that may expose both parties to liability.

The jurisdictional party is typically responsible for ongoing operation and maintenance of roads, including signs and traffic control devices. When maintenance by parties not having jurisdiction is accomplished through maintenance agreements, the agreements should show the extent of responsibility of the party performing the work. Responsibility may be limited to certain activities or may extend to all activities necessary to operate and maintain the road. Failure to clearly assign responsibility on a road-by-road basis in maintenance agreements may expose both parties to liability. Special attention should be paid to responsibility for maintenance of signs and traffic control devices, as they directly affect the safety of road users.

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7. Other Requirements.

a. Direction regarding jurisdiction over forest transportation facilities is found in FSM 7703.3.

b. Direction regarding common transportation interests with local public road authorities is found in FSM 7703.4.

c. Schedule A: Forest Road Agreements must contain a complete list of cooperative roads in "Schedule A." The Schedule should be separated into roads under jurisdiction of the cooperator and roads under jurisdiction of the Forest Service. In circumstances where jurisdiction may involve questions of fact that may only be resolved in Federal court (such as the Act of July 26, 1866), a third category of roads whose jurisdiction may not be immediately determined may be included in Schedule A. Schedule A can be modified to both add and omit roads as necessary.

d. Supplemental Project Agreements: A Forest Road Agreement with a Schedule A serves as a Master Agreement. Road improvements (construction/reconstruction) are addressed in supplemental project agreements when improvement of a road under the jurisdiction of one party is to be performed in whole or in part by the other party.

e. Maintenance Plan: Forest Road Agreements may include an annual maintenance plan, which describes the parties' maintenance responsibilities. These responsibilities are usually documented at an annual meeting.

8. Other Agreements not Covered. Cost-Share Cooperative Road Maintenance Agreements are administered exclusively by the Engineering staff, in conjunction with the Albuquerque Service Center. In addition, Interagency Agreements between Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, Bureau of Indian Affairs, and the Forest Service involving road maintenance and improvement work that cite the Economy Act and authorize the exchange of work on an equal value basis are the responsibility of the Engineering staff. Both the Cost-Share Cooperative Road Maintenance Agreement and Interagency Agreement are not covered under this chapter and are not the responsibility of grants and agreements (G&A) specialists.



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### **31.22 - Type of Work**

The following are samples of acceptable road work using Project Agreements for roads on a Schedule A under a Cooperative Forest Road Agreement:

1. The county will reconstruct 2500 feet of National Forest System road (NFS) 2371 adjacent to the new bridge crossing over Buckskin Creek on NFS 2371, including blending grades to the new structure, to correct drainage and safety issues at the bridge. (Project Agreement).
2. The county advertises a culvert installation and resurfacing contract where the Forest Service provides a portion of the funding. (Project Agreement).
3. NFSR 825 is the only road access to the Big Trout River Trailhead. Three-quarter miles of NFSR 825 is on land owned by the Jones Ranch. The Forest Service did not have an easement for the road, and the ranch recently installed and locked a gate blocking public use. The county will acquire an easement across the ranch in the name of the United States. The easement involves realigning the road away from the ranch house.

The county road crew will construct the realigned section. The county engineer shall approve the design for the realignment. Cattleguards, culverts, fencing, and aggregate surfacing are furnished by the Forest Service. (Project Agreement).

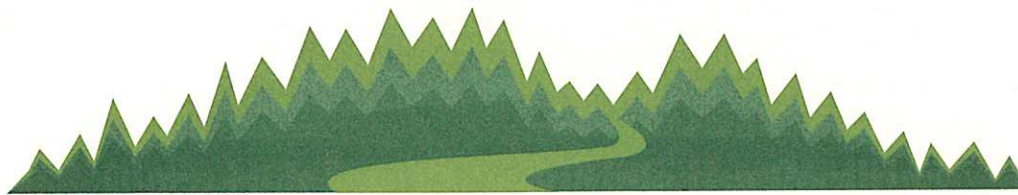
4. A subdivision on an inholding within a national forest has 200 houses. The primary access to the subdivision is over NFSR 443, a system road that provides high clearance vehicle access for management of three range allotments in the vicinity. While the Forest Service would like to give the road to the county, the county attorney has advised the commissioners to not take jurisdiction of the road, because it, "Doesn't meet State standards." The county is willing to operate and maintain the road for the residential traffic, including school buses. The road is thus shown in the annual maintenance agreement for the Forest Road Agreement as a Forest Service jurisdiction road on which the county performs all maintenance. (Schedule A, Annual Maintenance Agreement).

### **31.23 - Form of Agreement**

See section 39.3 for a sample Cooperative Road Agreement (FS-1500-9) and section 39.4 for a sample Cooperative Road Project Agreement (FS-1500-9a).

Follow the direction described in section 14.3 of this handbook, and use FS-1500-9, Cooperative Forest Road Agreement, for this authority.

FYI



## Black Hills Regional Multiple Use Coalition

P.O. Box 9496 • Rapid City, SD 57709 • 605-341-0875 • Fax 605-341-8651

November 8, 2023

TO: BOARD OF DIRECTORS

SUBJECT: MEETING NOTICE

The next Black Hills Regional Multiple Use Coalition, Board of Directors meeting will be THURSDAY, November 16<sup>th</sup>, 4:00 pm, at the Spearfish Holiday Inn. Minutes from the previous meeting will be available for review at the meeting.

I expect a relatively short meeting to address business items. The tentative agenda items are:

- Officer Elections
- Annual BHRMUC Donations
- Program Topics or 2024
- Meeting Logistics for 2024
- Directors Round Robin

Please feel free to call me at 605-341-0875 if you have any questions or comments.

Ben Wudtke  
Executive Secretary



**USDA** Natural Resources Conservation Service  
U.S. DEPARTMENT OF AGRICULTURE  
200 4th Street SW  
Room 203  
Huron, SD 57350  
605-352-1200

**Rancher Driven,  
Science Informed, Agency Supported**

The South Dakota Natural Resources Conservation Service and partners are working with landowners and producers to prevent and reverse losses in rangeland production due to woody plant species encroachment.

Contact your local NRCS office today to learn how you can reduce the risk of encroachment on your property.



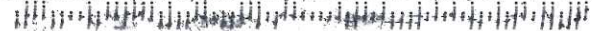
Scan the QR code to download the 'Reducing Woody Encroachment in Grasslands Guide' or contact us at 605-352-1200 for your copy or to locate your local NRCS Service Center.

5774781350



Fall River County Commissioner  
906 N River St  
Hot Springs, South Dakota 57747

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# The Consequences of Woody Species Encroachment

## on all Grasslands in South Dakota

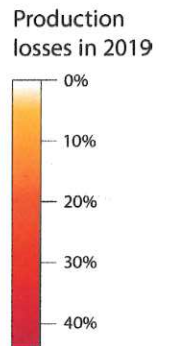
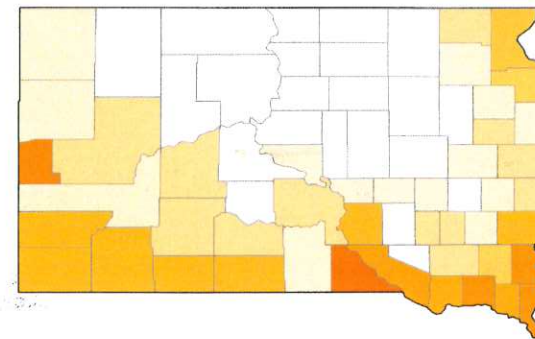
In South Dakota, 145,352 tons of forage were lost to woody plant encroachment in 2019! That's equivalent to 242,253 round hay bales at 1,200 pounds or the yearly forage need of 30,665 beef cows.

This is an economic hit of \$4.5 million for South Dakota farmers and ranchers annually.

Woody encroachment causes more negative impacts in grasslands than just reducing forage production. In the Great Plains, invading woody species:

- Decrease stocking rates,
- Decrease grassland biodiversity,
- Reduce water supplies,
- Increase wildfire risk,
- Increase human allergen potential,
- Increase risk of tick and mosquito-borne diseases, and
- Impact wildlife.

To learn more about forage production losses at the state down and county level, visit [www.wfw.org/yieldgap](http://www.wfw.org/yieldgap)



Production losses are derived from a 1990 baseline and are the result of increasing woody cover over a 20 year period.

### 2019 South Dakota Rangeland Production Losses Equate to:

- \$4.5 million in lost forage
- More than 242,000 round hay bales
- Yearly forage need for 30,665 beef cows

Connect with your local NRCS Service Center to learn more, take action, and get your free Guide!