

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, March 7, 2024

- 8:00 Commission review of bills
- 9:00 Call Meeting to Order
 Pledge of Allegiance
 Conflict of Interest Items for Board Members
 Approve Agenda

Action Agenda items for Consideration:

- Approve minutes of the Fall River County Commissioners for February 15, 2024
- Set Minimum Maintenance Road Hearing for the SE area of Fall River County for March 21, 2024 at 9:30 a.m.
- Set Property Tax Appeal hearings date(s) and time(s), between April 9 through April 30, 2024
- Surplus to junk-Hoover Fold away Vacuum, asset tag #1515, Register of Deeds office; Computer monitor, asset tag #02093, Building maintenance department; Back-up batteries, asset tag #'s 02024, 02025 & 02027, Director of Equalization's office; Office chairs (black, 2 maroon, blue, silver, asset tag #'s 01959, 1039, 1031, 1306, 1748), various offices
- County assistance/death expense applications

(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-
- Updates, possible action
- 9:15 Joe Allen, Commissioner-
- Update on Justice Center/Jail
- 9:25 Randy Seiler, Highway Superintendent-
- Present Approach Permit application for Omar McClure, located approximately 3.1 miles from Hwy 385 on Argyle Road; possible action
 - Updates; possible action
- 9:30 No Maintenance Road Hearing; possible action

- 9:45 Hearing for Vacation of Public Right-of-Way in South Shore Yacht Club Estates Subdivision; possible action
- 9:55 Approve bills & break
- 10:05 Public Comment
- 10:15 Jeff Janis, Surveyor, Longbranch Civil Engineering, Inc-
- Present the following plats for approval; possible action:
 - Plat of Lot 5R and Lot 6R of Block 1, Water's Edge Subdivision (formerly Lot 5 and Lot 6 of Water's Edge Subdivision) Located in the NW ¼ of the NE ¼ Section 30, T8S, R6E, BHM Fall River County, South Dakota
 - Plat of Tract A and Tract B of Lake Hills West of Angostura Ranch Tract (formerly Lake Hills West of Angostura Ranch Tract) Located in the E ½ of Section 25, T8S, R5E, and in the W ½ of Section 30, T8S, R6E, and In Government Lot 4 of Section 19, T8S, R6E, B.H.M., Fall River County, South Dakota
- 10:20 Commissioners-
- Discuss vacancy on the Provo Area Water System Board; possible action
 - Clarification regarding Primary Election and the use of ExpressVote machines for compliance with the Help America Vote Act (HAVA). It requires that each polling place for any Federal election provide a voting device equipped to allow voters with disabilities the means to vote independently and privately.
- 10:25 Joe Falkenburg, Commissioner-
- Present Resolution in opposition to a merchant code to track gun and ammo sales in the US and authorize Chairman to sign; possible action
- 10:30 Dan Cullen, Veteran Service Officer-
- Present 2023 4th Quarter / End of Year Report; possible action
- 10:45 Nina Steinmetz, Weed and Pest Supervisor-
- Present report on the State Weed and Pest Conference; possible action
 - Present general review of 2023 Weed and Pest activities; possible action
- 10:55 Executive Session as per SDCL 1-25-2 (1) personnel, (3) legal
- Possible action
- 11:10 Break for lunch
- 1:25 Reconvene meeting
- 1:30 Executive Session as per SDCL 1-25-2 (1) personnel, (3) legal
- 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 FEBRUARY 15, 2024

The Fall River Board of County Commissioners met in regular session on February 15, 2024. 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.sdcountries.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 meeting minutes from February 1, 2024.

Motion made by Russell, seconded by Allen, to approve the Auditor's account with the Treasurer for January, 2024.

Motion made by Greenough, seconded by Russell, to approve the following pay increase: Veronica Quintana, Dispatcher from \$22.50/hr to \$23.50/hr, effective 03/01/2024 as per Union Contract.

Motion made by Russell, seconded by Allen, to approve the hiring of Vickie King as an Administrative Assistant in the Treasurer's Office, effective 02/21/2024.

Motion made by Allen, seconded by Cope, to approve travel for Stacy Schmidt, Deputy Auditor, to attend the Mock Election training in Pierre on February 28 & 29, 2024 to include 1 night accommodation and per diem.

Motion by Greenough, seconded by Russell, to surplus the following items to junk: Nexus Tablet, SN CAOKBC234448, asset tag #01871 (will not turn on); LP Laser Jet CP1025nwcolor printer, asset tag #02132 (will not print); LG Cell phone SN 304KZP019859 (gets hot when turned on); LG Cell phone, Stylo 5, model #LM-Z720VS, SN 003VTSM0105 (will not hold charge).

There were no County Assistance applications.

Lyle Norton, Sheriff, met with the Board. He reported the jail census, 7 males and 2 females for a total of 9 in house. Norton also reported that he had attended the City of Edgemont and the Town of Oelrichs Board meetings.

Motion made by Allen, seconded by Russell, to approve the hiring of Bob Evans as a part-time Court Security Officer at \$19.75/hr, effective 03/06/2024.

Frank Maynard, Emergency Manager, met with the Board to provide updates. He reported that the Oelrichs siren activated for unknown reasons. He had Dispatch cancel the siren, but it started back up a few minutes later. At this time, the power was turned off and Rushmore Communications was contacted to check into the issue. He reported that the Silver Jacket mapping project had a kickoff meeting on February 12, 2024. The project will define the floodplain through Hot Springs to include the Cottonwood stream. He will provide updates when they become available. Maynard then reported on fires and incidents.

The Retail (on-off sale) Malt Beverage & SD Farm Wine license hearing took place at 9:25 a.m. as

advertised. No objections were noted.

Motion made by Greenough, seconded by Allen, to approve the Retail (on-off sale) Malt Beverage & SD Farm Wine license for Sandy Bottom Campground, Inc. located at 13316 N Angostura Rd, Hot Springs, SD owned by Nick and Trina Simunek.

The Minimum Maintenance Road hearing took place at 9:30 a.m. as advertised.

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-18 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-18

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Pine Hills Road (County Road 6E) in Township Nine (9) South, Range Three (3) East of the Black Hills Meridian beginning one half (1/2) mile east of the township line between Range Two (2) East & Range Three (3) East and continuing east for a distance of one and a half (1 ½) miles along the section line between Section Six (6) and Section Seven (7) and Section Five (5) and Section Eight (8) to end of the road in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Roll call was taken; Greenough, no, Cope, no, Allen, yes, Russell, yes, Falkenburg, yes; motion carried.

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-19 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-19

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only

occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Coal Creek Road (County Road 8S) in Township Nine (9) South, Range Two (2) East of the Black Hills Meridian beginning at the intersection with Fiddle Creek Road (County Road 8) then south for a distance of three-fourths ($\frac{3}{4}$) of a mile along the section line between Section Twenty-one (21) and Section Twenty-two (22) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Motion made by Allen, seconded by Cope, to approve Fall River County Resolution 2024-20 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-20

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Unnamed Road (County Road 6W) in Township Nine (9) South, Range Four (4) East of the Black Hills Meridian beginning at the intersection with SD Highway 71 South then north along the quarter line in Section Twenty-five (25) to north section line of Section Twenty-five (25) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

ATTEST:

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

Motion made by Allen, seconded by Cope to approve Fall River County Resolution #2024-21 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-21

WHEREAS, SDCL 31-12-46 allows the Fall River County Board of Commissioners to designate secondary highways as minimum maintenance after conducting a hearing pursuant to SDCL 31-12-46; and

WHEREAS, the Board of Commissioners finds that the hearing required by SDCL 31-12-44 has been completed; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used only occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Rocky Ford Road (County Road 11S) in Township Nine (9) South, Range Five (5) East and Township Nine (9) South, Range Four (4) East of the Black Hills Meridian starting at the intersection of Highland Road then meandering south and west for an approximate distance of two and one-half (2 ½) miles, then across the Cheyenne River, then south on the section line between Section Eleven (11) and Section Twelve (12) for an approximate distance of three-quarters (¾) of a mile, then west for approximately three-eighths (¾) of a mile on the section line between Section Eleven (11) and Section Fourteen (14) in said Township and Range is designated minimum maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-47 as soon as practicable on said highway.

Moved, passed and adopted this 15th day of February, 2024.

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

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

Randy Seiler, Highway Superintendent, met with the Board.

Motion made by Russell, seconded by Allen, to approve the Approach Permit to include 2 approaches for Kirk Rausch on the South side of Lone Tree Rd for 500' West of 13664 Lone Tree Rd and 700' East of 13664 Lone Tree Rd.

Motion made by Russell, seconded by Allen, to approve hiring Bruce Harris, Heavy Equipment Operator, Highway Department, starting wage of \$22.00/hr, effective 02/26/2024.

Motion made by Allen, seconded by Russell, to approve Fall River County Resolution #2024-22 as follows:

FALL RIVER COUNTY RESOLUTION #2024-22

BRIDGE REINSPECTION

PROGRAM RESOLUTION

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Fall River County is desirous of participating in the Bridge Inspection Program.

The county requests SDDOT to hire Brosz Engineering, Inc (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 15th day of February, 2024, at Hot Springs, South Dakota.

Board of County Commissioners

ATTEST:

/S/ Sue Ganje

Sue Ganje

Fall River County Auditor

/S/ Joe Falkenburg

Chairman of the Board

Of Fall River County

Motion made by Russell, seconded by Allen, to approve the proposed contract with the SD Game, Fish & Parks to pay 50% of two (2) dust applications of MAG water on Shep's Canyon Rd during the year of 2024, not to exceed \$22,000.00.

Seiler submitted his letter of retirement, effective March 28, 2024. Susan Henderson, County resident, thanked Seiler for his years of service.

Motion made Cope, seconded by Greenough, to accept Seiler's letter of retirement.

Motion made by Greenough, seconded by Cope, to review the job description and approve advertising for a County Highway Superintendent.

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

GENERAL FUND		
AMAZON CAPITAL SERVICES	SUPPLY	\$1,782.62
CURA HOSPITALITY	INMATE MEALS	\$9,612.75
A-Z SHREDDING INC	SHREDDING	\$89.44
BOB BARKER COMPANY INC	SUPPLY	\$468.06
BEHAVIOR MANAGEMENT SYS	2024 BUDGET ALLOTMENT	\$7,500.00
BH COUNCIL OF LOCAL GOV	2024 ASSESSMENT DUES	\$3,495.00
BOYS & GIRLS CLUBS OF BH	2024 BUDGET ALLOTMENT	\$10,000.00
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$213.84
DEPT OF ANIMAL SCIENCES	SUPPLY	\$58.00
SD DEPARTMENT OF REVENUE	MALT BEVERAGE/WINE LIC	\$150.00
EN-TECH LLC	FUMIGATION	\$450.00
FALL RIVER COUNTY HERALD	PUBLICATION	\$778.74
FARMAKES, JASMIN	JURY TRIAL TESTIMONY	\$1,844.64
HOT SPRINGS ACE HARDWARE	SUPPLY	\$109.32
HUSTEAD LAW OFFICE, P.C.	CAAF	\$3,125.91
IDEMIA IDENTITY&SECURITY	SOFTWARE MAINTENANCE	\$2,415.00
KULM, ARICA	MILEAGE REIMBURSEMENT	\$408.00
LYNNS DAKOTAMART	SUPPLY	\$101.00

QUADIENT LEASING USA, INC	POSTAGE MACHINE LEASE	\$760.80
MARCO	COPIER LEASE	\$163.14
MASTERCARD	COUNTY CREDIT CARD	\$859.56
MCNEMAR, KIM	MI/QMHP	\$300.00
MCLEODS OFFICE SUPPLY CO.	SUPPLY	\$6.88
OECHSLE, KEN	JUROR FEES	\$30.40
ONSITE FIRST AID, LLC	FIRST AID	\$148.16
PENNINGTON COUNTY JAIL	INMATE HOUSING PENNI	\$570.00
PENNINGTON COUNTY JAIL	TRANSPORT	\$402.43
CITY OF RAPID CITY	BLOOD ANALYSIS	\$520.00
RUSHMORE COMMUNICATIONS	SUPPLY	\$632.50
DEPT OF AG & NATURAL RES.	PRAIRIE DOG CONTROL	\$800.00
SERVALL	RUGS AND MATS SERVICE	\$426.22
SOUTHERN HILLS LAW PLLC	CAAF	\$4,467.75
STEINMETZ, NINA	REIMBURSEMENT	\$480.81
STEVENS AUTOMOTIVE	SERVICE	\$181.92
VANGUARD APPRAISALS INC	SERVICES	\$937.50
WESTERN SD JUV SERV CTR	JUVENILE SERVICES	\$300.00
HEWITT, LAWRENCE	JUROR FEES	\$15.10
BELL, CARSON	JUROR FEES	\$26.32
MILES, SASHA	BLOOD DRAW	\$75.00
HOBBS, BEN PAUL	JUROR FEES	\$35.50
HUBER, TRENT COREY	JUROR FEES	\$25.30
HALL, CARL	JUROR FEES	\$11.02
MAUCK, MARGARET	JUROR FEES	\$11.02
KELLOGG, JERRY	JUROR FEES	\$38.56
MURPHY, RICHARD	JUROR FEES	\$35.50
	TOTAL FOR GENERAL FUND	\$54,863.71
COUNTY ROAD & BRIDGE		
AMAZON CAPITAL SERVICES	SUPPLY	\$91.04
BUTLER MACHINERY CO.	SUPPLY	\$85.52
CARQUEST AUTO PARTS #3951	REPAIR/MAINTENANCE	\$5.96
FLOYD'S TRUCK CENTER	SERVICE/REPAIR	\$4,704.03
FORWARD DISTRIBUTING	SUPPLY	\$18.10
FALL RIVER COUNTY HERALD	PUBLICATION	\$369.42
HOT SPRINGS ACE HARDWARE	SUPPLY	\$14.58
MASTERCARD	COUNTY CREDIT CARD	\$14.77
ONSITE FIRST AID, LLC	FIRST AID	\$48.80
RAPID DELIVERY	DELIVERY FOR PARTS FLOYD'S	\$16.90
SEILER, RANDY	CLOTHING ALLOWANCE	\$300.00
STURDEVANT'S AUTO VALUE	SUPPLIES	\$880.22
	TOTAL FOR COUNTY ROAD & BRIDGE	\$6,549.34
911 SURCHARGE REIMBURSEMENT		

AMAZON CAPITAL SERVICES	SUPPLY	\$355.95
CENTURY BUSINESS LEASING	COPIER LEASE & METER	\$279.64
MASTERCARD	COUNTY CREDIT CARD	\$12.00
RAPID CITY MEDICAL CENTER	PRE-EMPLOYMENT HEALTH	\$172.00
	TOTAL FOR 911 SURCHARGE REIMBURSEMENT	\$819.59
EMERGENCY MANAGEMENT		
AMAZON CAPITAL SERVICES	SUPPLY	\$241.63
BOMGAARS	SUPPLY	\$39.99
MARCO	COPIER LEASE	\$81.56
MASTERCARD	COUNTY CREDIT CARD	\$118.08
ONSOLVE, LLC	CODE RED PROGRAM REN	\$3,452.04
	TOTAL FOR EMERGENCY MANAGEMENT	\$3,933.30
911 SOBRIETY FUND		
AMAZON CAPITAL SERVICES	SUPPLY	\$42.49
	TOTAL FOR 24/7 SOBRIETY FUND	\$42.49
COURTHOUSE BUILDING FUND		
HAGEN	SUPPLY	\$321.43
RAPID FIRE PROTECTION INC	FIRE SYSTEM SERVICE	\$1,523.98
RASMUSSEN MECHANICAL SERV	BOILER SERVICES	\$89.66
SD ATTORNEY GENERAL	24/7 STATE DISBURSEMENT	\$38.00
SD ATTORNEY GENERAL	24/7 CAM DISBURSEMENT	\$150.00
	TOTAL FOR COURTHOUSE BUILDING FUND	\$2,123.07
	TOTAL BILLS FOR 02/02 THROUGH 02/15/2024	\$64,398.20

Break was taken at 9:48 a.m. The meeting resumed at 9:55 a.m.

Commissioners discussed 2024 HB 1071, possibility of hand counting the ballots during the 2024 elections and revisited the EID tag discussion from the last meeting.

Motion made by Cope, seconded by Greenough, to authorize the State's Attorney to draft a resolution supporting 2024 HB 1071, which will be presented at a future meeting. Roll call was taken. With Falkenburg voting no, all others voting yes, motion carried.

Motion made by Greenough, seconded by Allen, to hand count the ballots for the Primary Election. Roll call was taken. With all voting yes, motion carried.

Joe Allen, Commissioner, gave an update regarding his correspondence with Elevatus. He will report at the next meeting with more updates.

Public comment was heard from Heath Greenough, Commissioner. He reported that he had went to Pierre to support SJR 505A, noting the use of 2020 valuations with a 1% increase. Lyle Norton,

Sheriff, reminded everyone about the Townhall Meeting on February 22, 2024 at 6:30 p.m. at the Mueller Center Theater.

Lily Heidebrink, Director of Equalization, met with the Board. She introduced Joseph Goraczowski, Martha Trees and Morgan Erickson, the new Administrative Assistants in her office. Heidebrink then presented her intentions for year 2024, pay 2025. She also reported regarding the possibility of an Historical Exemption per SDCL. She will keep the Board updated if any entity applies for it.

Sue Ganje, Auditor, met with the Board to provide an update regarding omitted tax levies for Oelrichs School District 23-3 Special Education, Eagle Valley Road District and Hot Brook Road District.

Motion made by Allen, seconded by Cope, to enter into executive session as per SDCL 1-25-2 (1) personnel and (2) legal at 11:07 a.m.

The Board was declared out of executive session at 11:34 a.m.

Motion made by Allen, seconded by Cope, to adjourn the meeting at 11:34 a.m.

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

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

Register of Deeds Office

DATE: 2-23-24

INVENTORY TRANSFER FORM

TAG# 1515

Inventory Description: Hoover Foldaway Vacuum

Circle one: SURPLUS

JUNK

TRANSFER

COMMISSIONER

Approval Date: _____

Destroyed By: _____

OR

Transferred To: _____



*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: March 7, 2024

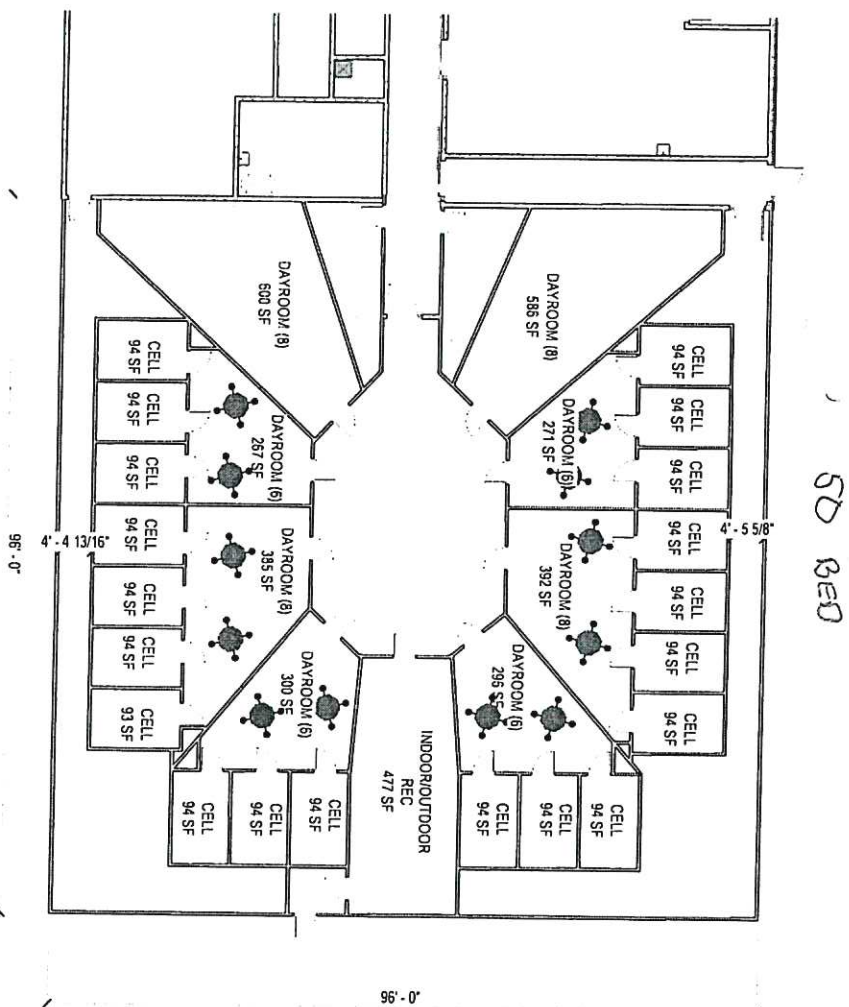
Subj: Commission Update:

1. Angustura Dam Exercise: The Bureau of Reclamation will be conducting the annual Angustura Dam exercise on March 19th at the old Oral School.
2. Homeland Security Regional Meeting: The Region 4 Homeland Security meeting will be held in Rapid City on March 19th. This meeting will be to discuss the ranked projects submitted by each county and recommend funding. The Fall River HLS ranking meeting is scheduled for March 6th at 3pm. Fall River has seven grant applications to prioritize.
3. Western Federal Surplus Site: The Federal Surplus site located at Box Elder is being closed. The final day will be March 15th, 2024. All items will be 50% off starting March 4th, 2024.
4. Fires & Incidents:
 - a. 2/14/2024: Sig. 1, Vehicle rollover: Hwy 385 mm 6: Fall River Sheriff, Oelrichs Fire and Hot Springs Ambulance.
 - b. 2/14/2024: Sig. 1, Vehicle rollover: Hwy 385, 1 mile North of State Line: Fall River Sheriff, Oelrichs Fire and Hot Springs Ambulance.
 - c. 2/16/2024: Smoke Report: 1326 Galveston Ave., Hot Springs: Hot Springs Police and Hot Springs Fire. False Alarm
 - d. 2/21/2024: Propane Smell: Mueller Center, Hot Springs: Hot Springs Police and Hot Springs Fire. Propane Truck filling tank nearby.
 - e. 2/21/2024: Mutual Aid to Fire in Nebraska: Oelrichs Fire.
 - f. 2/23/2024: Electrical Issue: 410 N. 5th St., Hot Springs: Hot Springs Police, Hot Springs Fire and Black Hills Energy.
 - g. 2/26/2024: Grass Fire: 13184 Admiral Rd.: Angustura Fire, SD WFS, and Hot Springs Fire.

*Franklin W. Maynard, CEM, CFM
Emergency Manager*

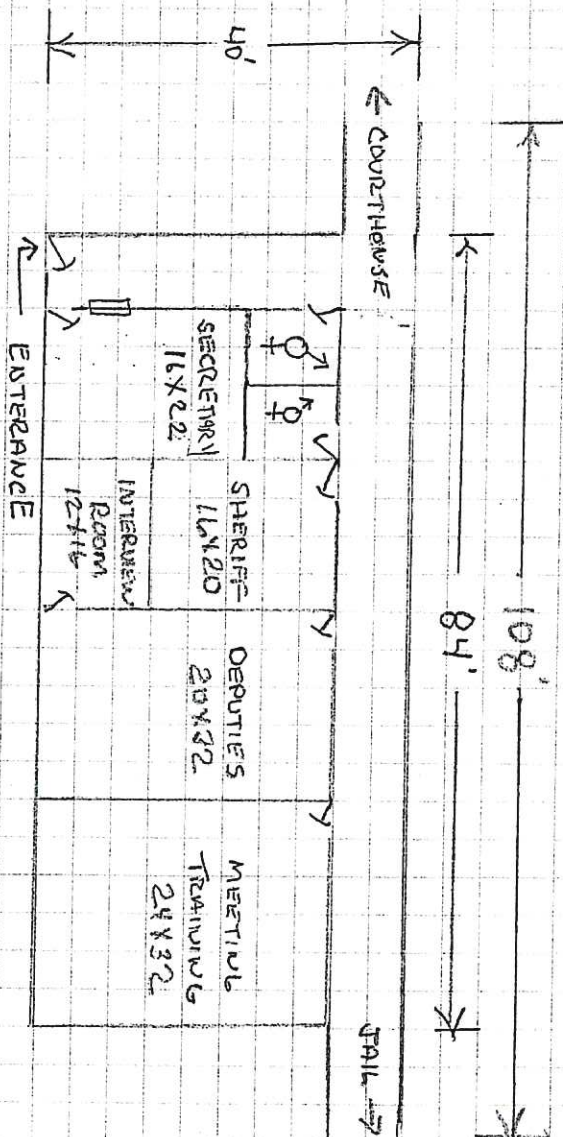
*Fall River County
906 N. River Street
Hot Springs, SD 57747*

Fall River County
Justice Center
12/12/23



ELEVATUS

ARCHITECTURE
111 E. Wayne Street, Suite 555, Fort Wayne, IN 46802
260 424-9080
ElevatusArchitecture.com
CONCRETE, CIP/RCC 202
32 ARCHITECTS, LLC AND ELEVATUS ARCHITECTURE
F.2013GA-LAWRENCE CO. 304, 426-7761 12/18/2023 11:25:25
AU



SHERIFF OFFICES:

40' x 84' 3360 sq' @ 250⁰⁰

\$ 840,000⁰⁰

\$ 9,604,800

JAIL COMPLEX:

15,936 sq' @ 550⁰⁰

\$ 8,764,800

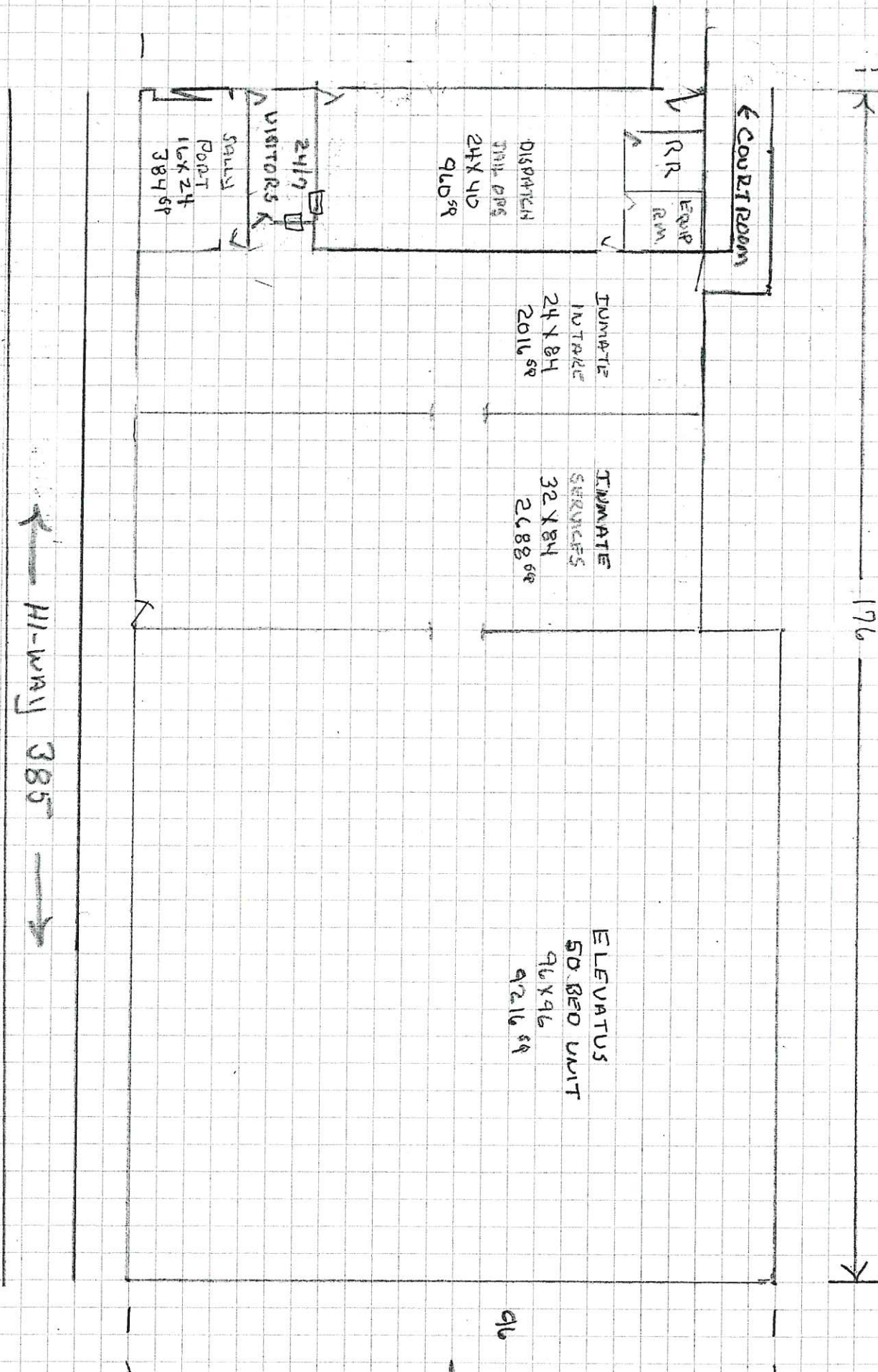
SAFETY 15% net

\$ 1,440,720

TOTAL \$ 11,045,520

DRAWING 24-2

239 = 4'



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

On this date 2-23-24, the Applicant hereby applies to the Fall River County Highway Department for permission to construct an approach road connection to the Left / Southwest side of (road name) Argyle Road (road #) 18 approximately at 3.1 miles from Hwy 385. The road approach will serve a Residence and will be (residence, church, business, etc.) constructed between 2-25-24 and 6-1-24 at (beginning date) (completion date) at

applicant's expense.

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

Name: Omar McClure Address: _____
Phone #: 605-430-2099 Signed: Omar McClure
(Property Owner)

TO BE COMPLETED BY FALL RIVER COUNTY HIGHWAY DEPARTMENT

Permit #: 2-23-24
MO/DY/YR

PRELIMINARY INSPECTION: Date 2-23-24 By: Randy Seitz

Culvert Diameter 0 Culvert Length _____

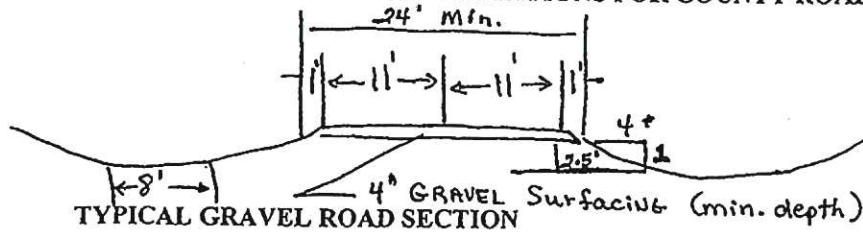
The crown of the presently traveled surface, including shoulder, to be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road-shoulder facing the property.

Remarks: _____

PERMIT: ✓ APPROVED _____ DENIED _____

Randy Seitz Date: 2-23-24
Superintendent/Foreman

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

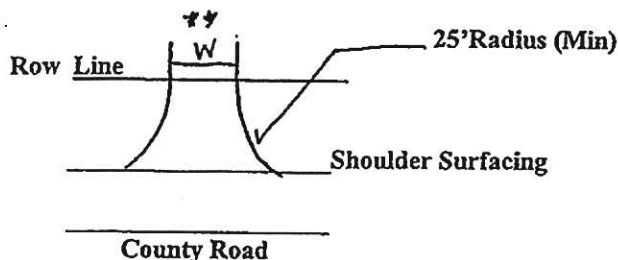


* Maximum slope is 4 to 1 (current Standard of the South Dakota DOT)
Steeper slopes are subject to the Approval of Fall River County

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

The following are standards which shall be met:

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



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

Maximum W - 50'

TYPICAL APPROACH DETAIL

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

APPROVED By: _____

(Chairman) FALL RIVER COUNTY COMMISSIONERS

DATE

RECOMMENDED BY: Randy Seiler

FALL RIVER COUNTY HIGHWAY SUPERINTENDENT

2-23-24

DATE

Proposals for Road Maintenance Levels in Southeast Area

Legend

County Road Resolution

Proposed Status

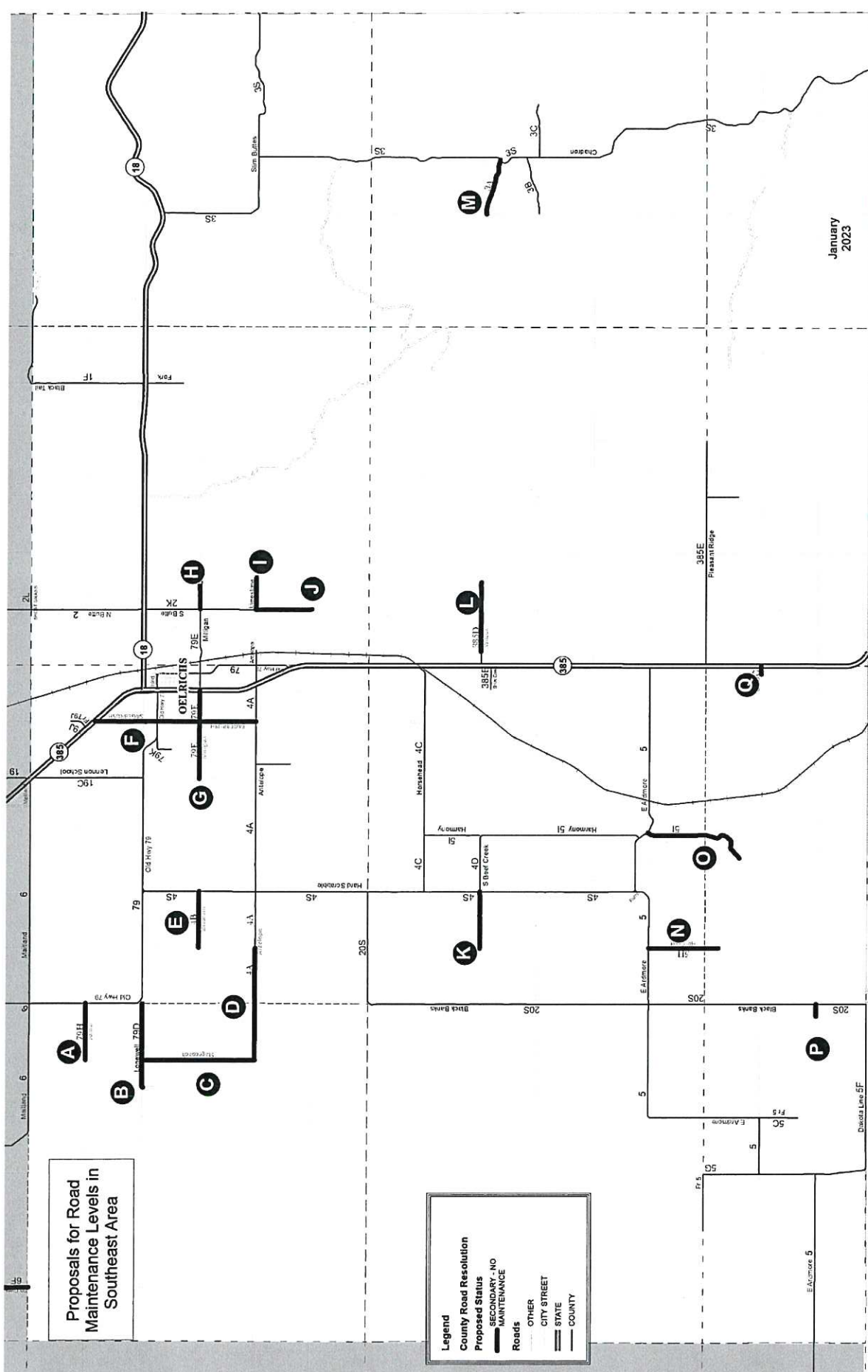
SECONDARY - NO MAINTENANCE

Roads

CITY STREET

STATE

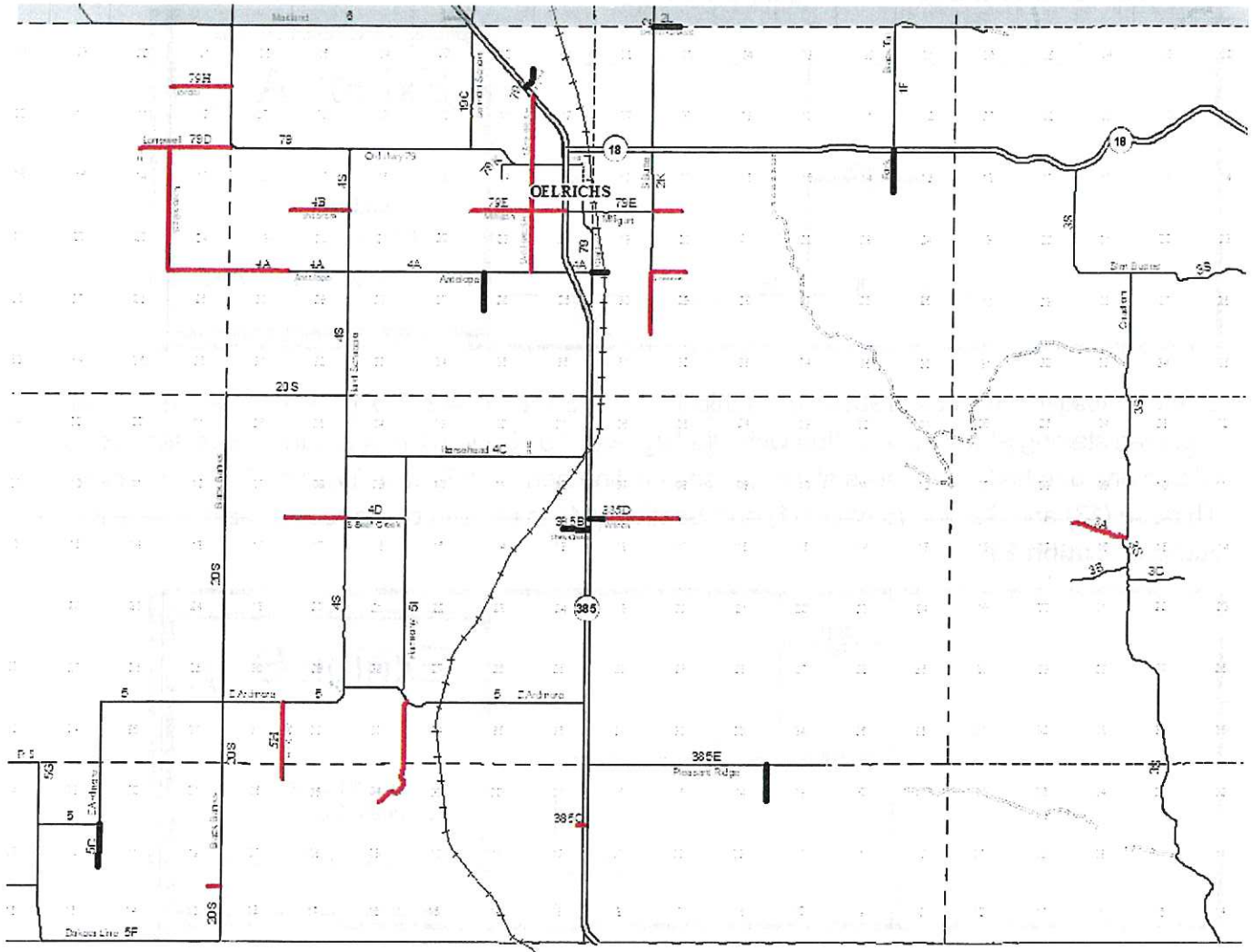
COUNTY



January
2023

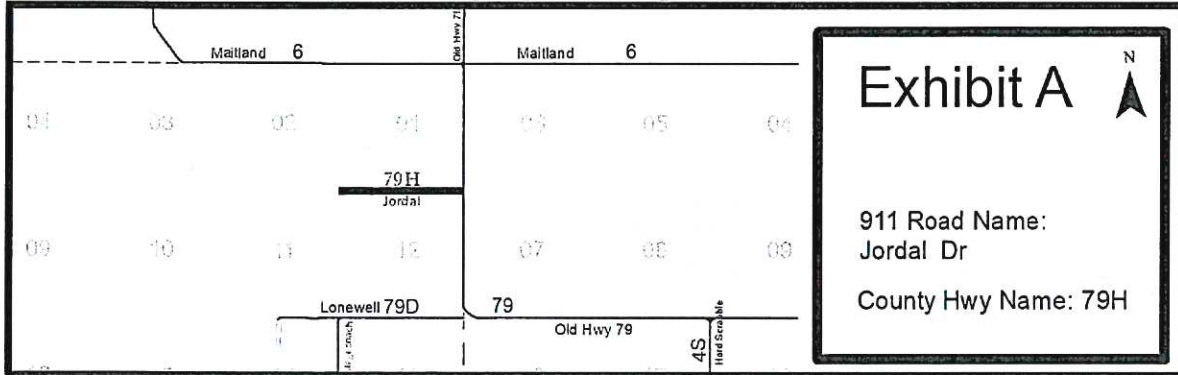
COUNTY HWY#	911 STREET NAME	Roads Proposed for No Maintenance			Current State Status	Maps that indicated a Maintained Road Surface						2005 Map	
		EXHIBIT	Current County Status	Current State Status		1957	1963	1983	1986	1991	2000	Shown Improved	Shown as County
79H	Jordal Dr	A	NO MAINTENANCE	SECONDARY	SECONDARY								
79D	Lonewell Rd	B	SECONDARY	SECONDARY	SECONDARY								
	Stagecoach Rd	C	NOT	SECONDARY	SECONDARY								
4A	Antelope Ln	D	NO MAINTENANCE	SECONDARY	SECONDARY								
4B	Shabram Rd	E	NO MAINTENANCE	SECONDARY	SECONDARY								
79J	Sagebrush Rd	F	NOT	SECONDARY	SECONDARY								
79E	Milligan Rd (west of Hwy)	G	NO MAINTENANCE	SECONDARY	SECONDARY								
79E	Milligan Rd (east of Butte Rd)	H	NOT	SECONDARY	SECONDARY								
2K	Limestone Rd	I	SECONDARY	SECONDARY	SECONDARY								
2K	South Butte Rd	J	NOT	SECONDARY	SECONDARY								
4D	South Beef Creek Rd	K	NOT	SECONDARY	SECONDARY								
38SD	Wilcox Rd	L	NO MAINTENANCE	SECONDARY	SECONDARY								
3A	Unnamed	M	NO MAINTENANCE	SECONDARY	SECONDARY								
5H	Hill Crest Rd	N	NO MAINTENANCE	SECONDARY	SECONDARY								
5I	Harmony Rd	O	SECONDARY	SECONDARY	SECONDARY								
	Unnamed	P	NOT	SECONDARY	SECONDARY								
38SC	Unnamed Rd	Q	SECONDARY	NOT	NOT								

The Southeast area of the county constitutes the three Township by four Range area around Oelrichs. The roads marked in red are those we have recommended for no maintenance. The black, bolded roads are recommended for minimum maintenance.

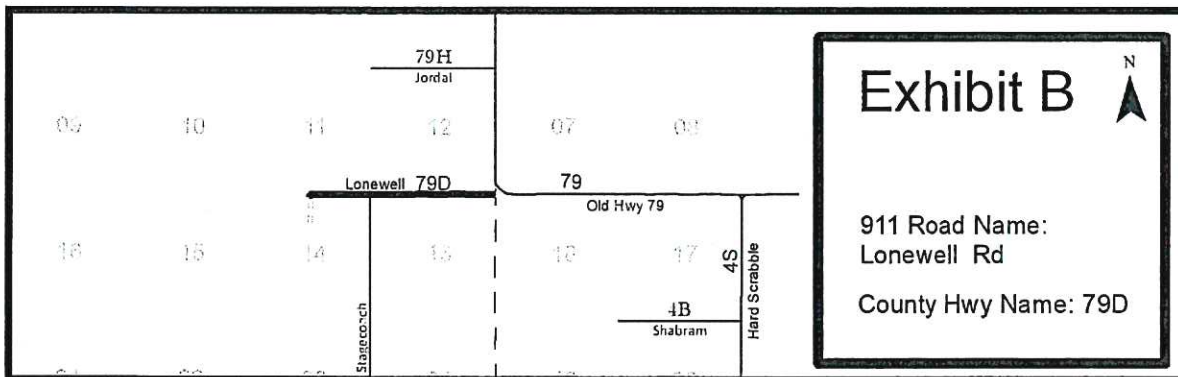


The legal descriptions for the No Maintenance recommended roads are below.

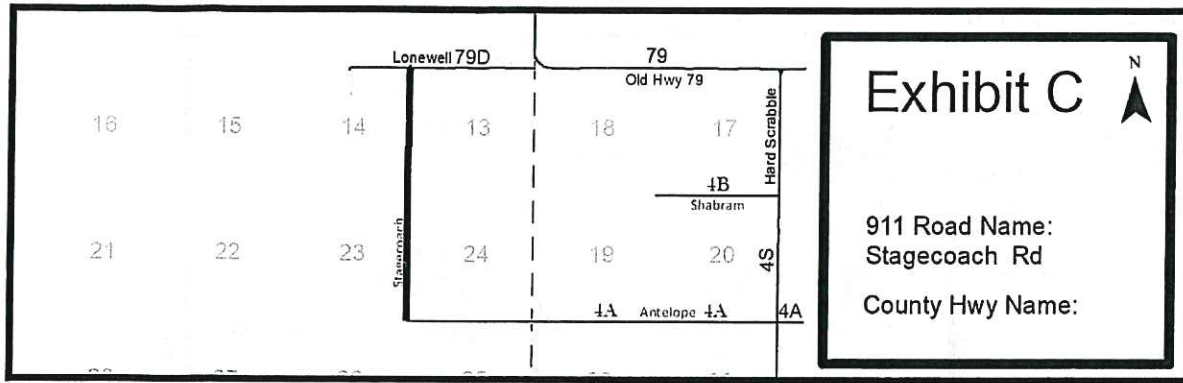
Jordal Road (County Road 79H) in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Old Highway 79 (County Road 79) then west for a distance of one (1) mile along the section line between Section One (1) and Section Twelve (12) to the end of the road in said Township and Range. **[Exhibit A]**



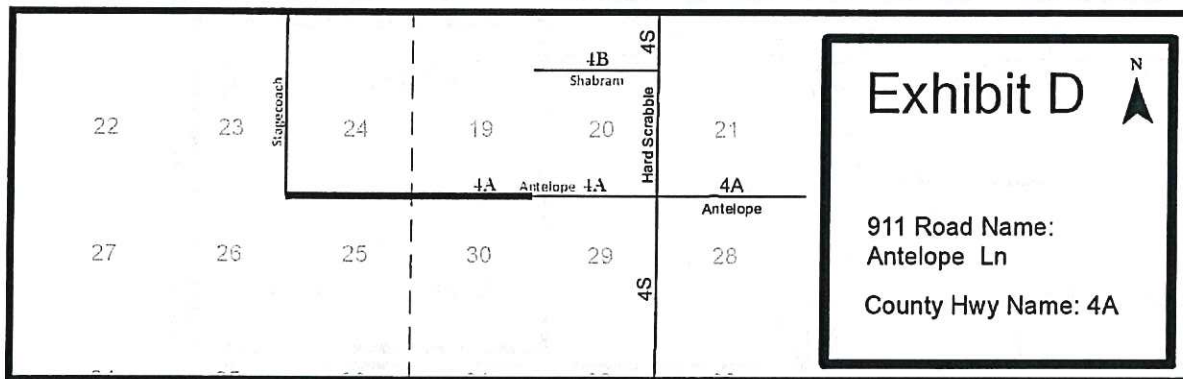
Lonewell Road (County Road 79D) in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Old Highway 79 (County Road 79) then west for at distance of one and one half (1 ½) miles along the section line between Section Twelve (12) and Section Thirteen (13) and Section Eleven (11) and Section (14) to the end of the road in said Township and Range. **[Exhibit B]**



Stagecoach Road in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Lonewell Rd (County Road 79D) then south two (2) miles on the section line between Section Thirteen (13) and Section Fourteen (14) and Section Twenty-Three (23) and Section Twenty-Four (24) to the intersection with Antelope Lane (County Road 4A) in said Township and Range. **[Exhibit C]**



Antelope Road (County Road 4A) in Township Ten (10) South, Range Six (6) and Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with Stagecoach Road then east two (2) miles along the section line between Section Twenty-Four (24) and Section Twenty-Five (25) of Township Ten (10) South, Range Six (6) East and Section Nineteen (19) and Section Thirty (30) of Township Ten (10) South, Range Seven (7) East. [don't use end of road on this one] [Exhibit D]

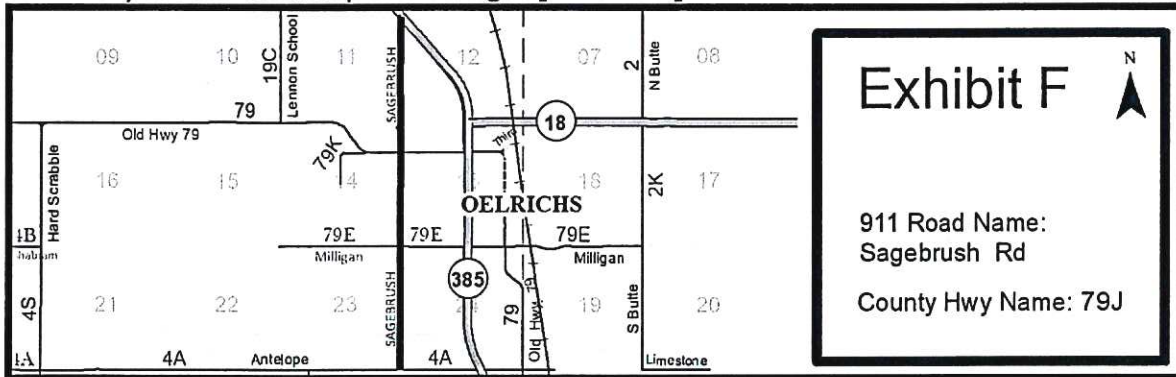


Shabram Road (County Road 4B) in Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting from the intersection with Hard Scrabble Rd (County Road 4S) then west one (1) mile along the section line between Section Seventeen (17) and Section Twenty (20)) to the end of the road in said Township and Range. [Exhibit E]

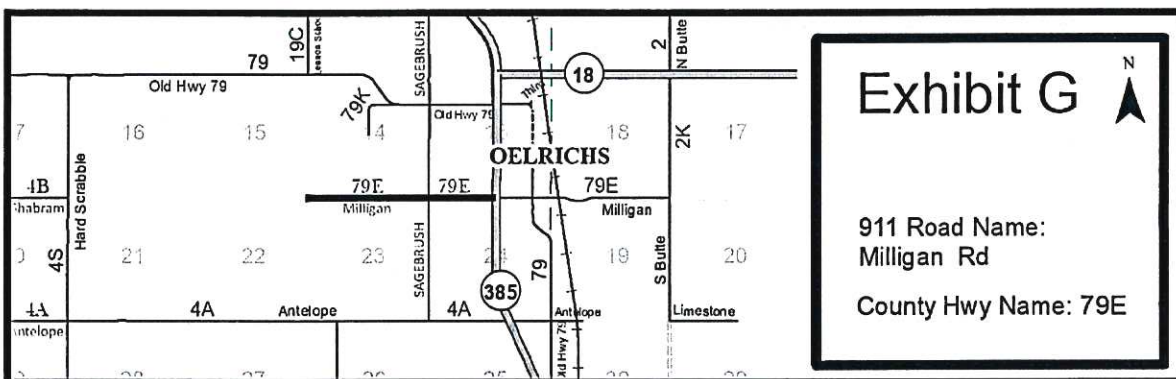


Sagebrush Road (County Road 79J) in Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with US Highway 385 then south approximately two and three-fourths (2 ¾) miles along section line between Sections Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Twenty-Three (23), and Twenty-Four(24) to intersection with Antelope Rd (County

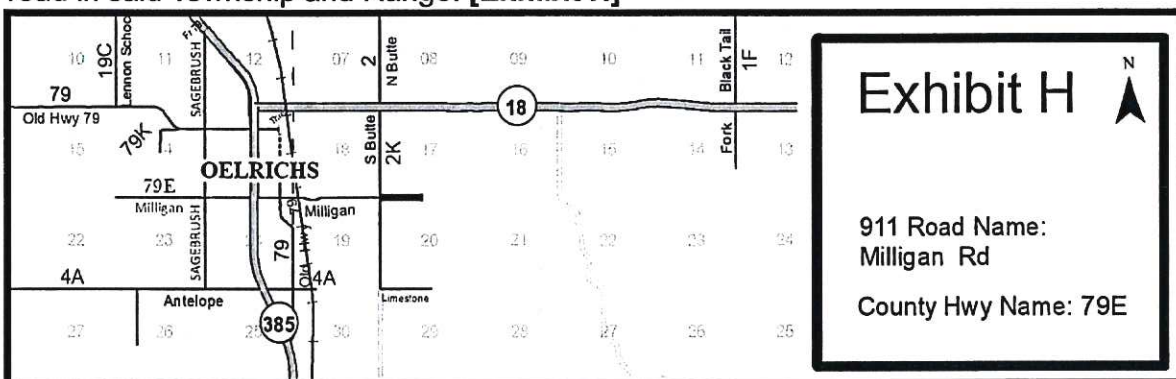
Road 4A) in said Township and Range. [Exhibit F]



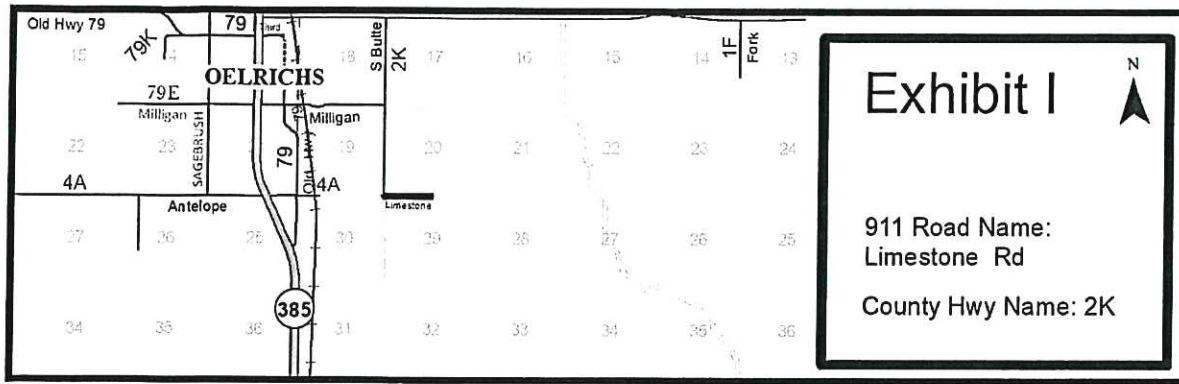
Milligan Road (County Road 79E) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with US Highway 385 then west along the section line between Section Thirteen (13) and Section Twenty-four (24) and Section Fourteen (14) and Section Twenty-three (23) for a distance of one and one half (1 ½) miles to the end of the road in said Township and Range. [Exhibit G]



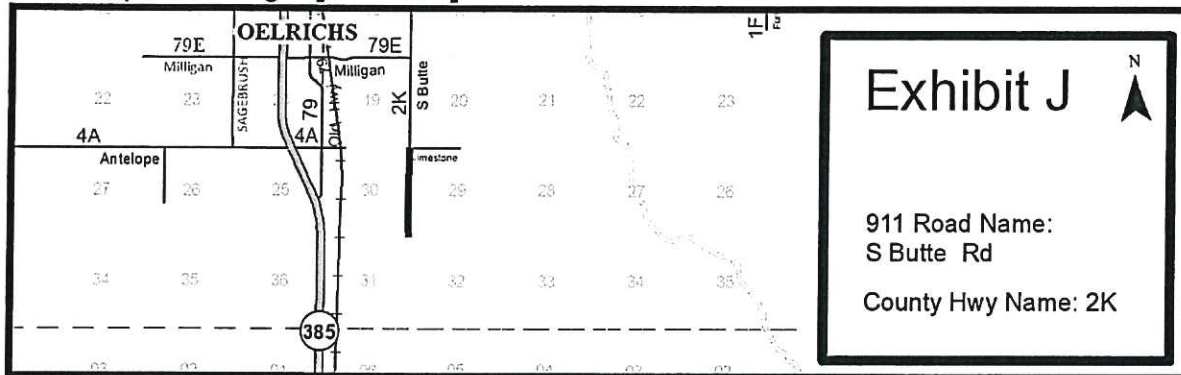
Milligan Road (County Road 79E) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with South Butte Road (County Road 2K) then east one half (1/2) mile on the section line between Section Seventeen (17) and Section Twenty (20) to the end of the road in said Township and Range. [Exhibit H]



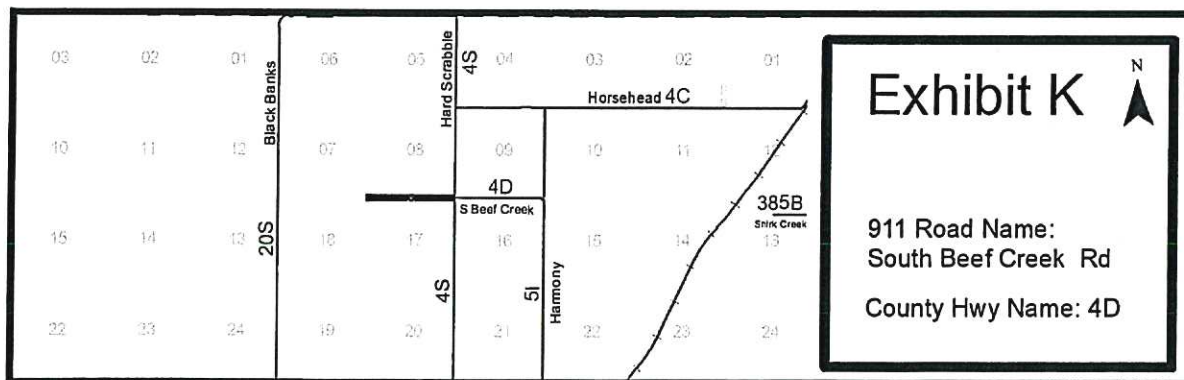
Limestone Road (County Road 2K) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with South Butte Road (County Road 2K) then east one half (1/2) mile on the section line between Section Twenty (20) and Section Twenty-nine (29) to the end of



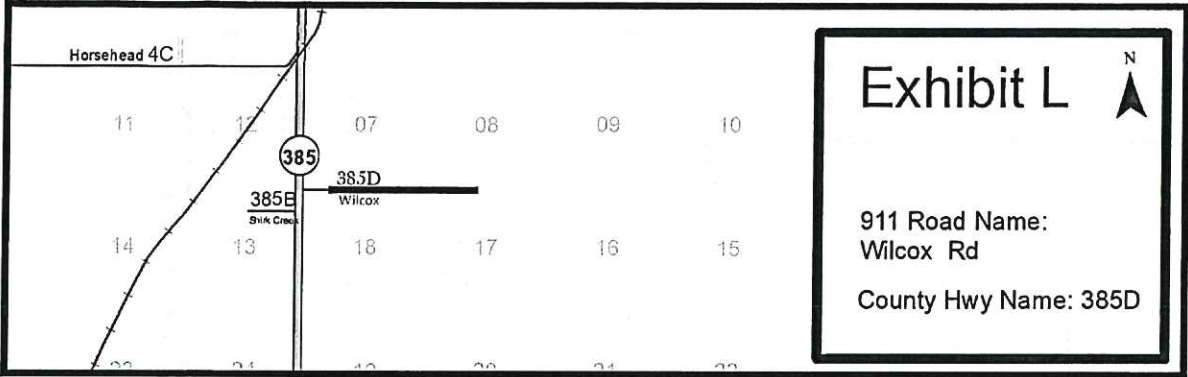
South Butte Road (County Road 2K) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with Limestone Road the south one (1) mile along the section line between Section Twenty-nine (29) and Section Thirty (30) to the end of the road in said Township and Range. [Exhibit J]



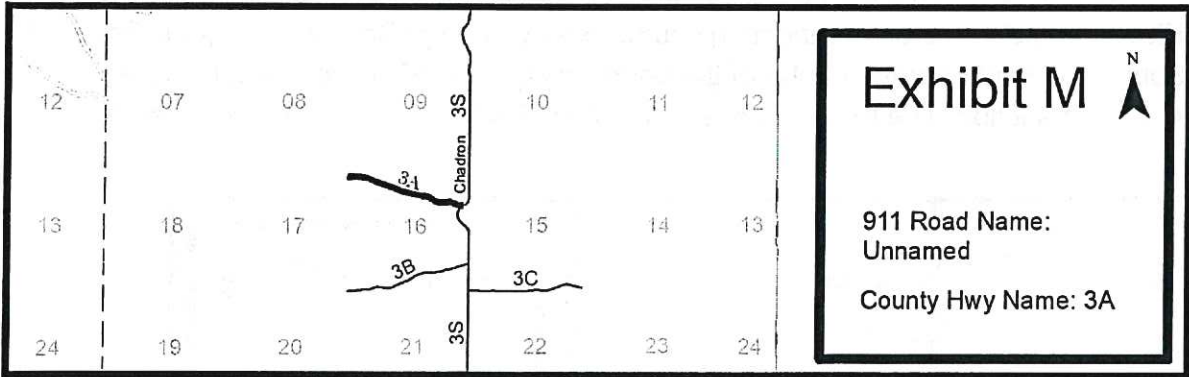
South Beef Creek Road (County Road 4D) in Township Eleven (11) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with Hard Scrabble Road (County Road 4S) then west along the section line between Section Eight (8) and Section Seventeen (17) for a distance of one mile to the end of the road in said Township and Range. [Exhibit K]



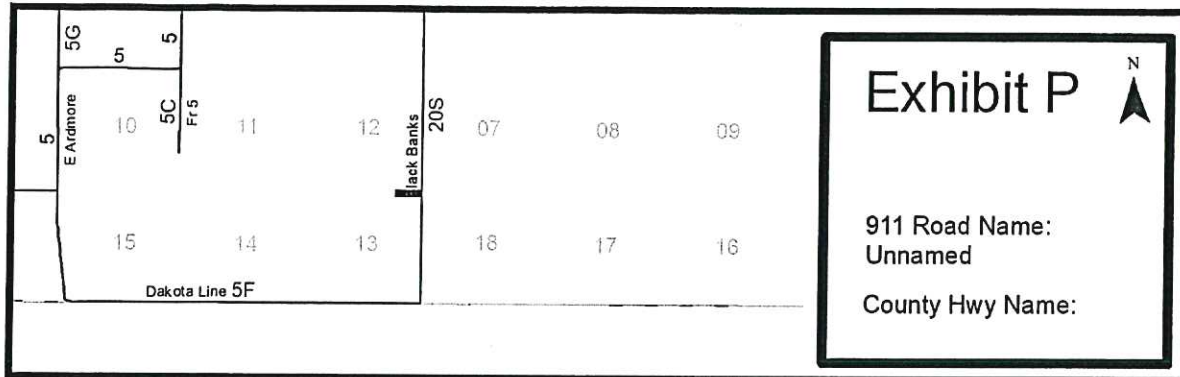
Wilcox Road (County Road 385D) in Township Eleven (11) South, Range Eight (8) East of the Black Hills Meridian starting at a point one quarter (1/4) mile east of the intersection with US Highway 385 then east about one and one quarter (1 1/4) mile east along the section line between Section Seven (7) and Section Eighteen (18) and Section Eight (8) and Section (17) to the end of the road in said Township and Range. [Exhibit L]



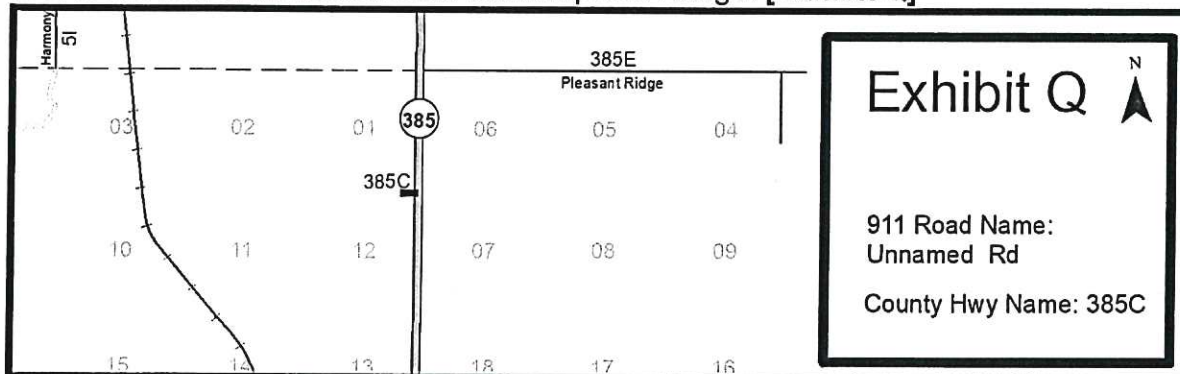
Unnamed Road (County Road 3A) in Township Eleven (11) South, Range Nine (9) East of the Black Hills Meridian starting at the intersection with Chadron Road (County Road 3S) then meandering northwest through Section Sixteen(16) for a distance of about one (1) mile to the western section line of said Section in said Township and Range. [Exhibit M]



Unnamed Road in Township Twelve (12) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Black Banks Road (County Road 20S) then west along the section line between Section Twelve (12) and Section Thirteen (13) for a distance of about one quarter (1/4) mile to the end of the road in said Township and Range. [Exhibit P]



Unnamed Road (County Road 385C) in Township Twelve (12) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with US Highway 385 then west along the section line between Section One (1) and Section Twelve (12) for a distance of approximately eight hundred (800) feet to the end of the road in said Township and Range. [Exhibit Q]



FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Jordal Road (County Road 79H) in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Old Highway 79 (County Road 79) then west for a distance of one (1) mile along the section line between Section One (1) and Section Twelve (12) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

23

SIGN

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Lonewell Road (County Road 79D) in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Old Highway 79 (County Road 79) then west for at distance of one and one half (1 ½) miles along the section line between Section Twelve (12) and Section Thirteen (13) and Section Eleven (11) and Section (14) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

24

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

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WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Stagecoach Road in Township Ten (10) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Lonewell Rd (County Road 79D) then south two (2) miles on the section line between Section Thirteen (13) and Section Fourteen (14) and Section Twenty-Three (23) and Section Twenty-Four (24) to the intersection with Antelope Lane (County Road 4A) in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

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Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

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WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Antelope Road (County Road 4A) in Township Ten (10) South, Range Six (6) and Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with Stagecoach Road then east two (2) miles along the section line between Section Twenty-Four (24) and Section Twenty-Five (25) of Township Ten (10) South, Range Six (6) East and Section Nineteen (19) and Section Thirty (30) of Township Ten (10) South, Range Seven (7) East is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

26

SIGN H

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Shabram Road (County Road 4B) in Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting from the intersection with Hard Scrabble Rd (County Road 4S) then west one (1) mile along the section line between Section Seventeen (17) and Section Twenty (20)) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County



27

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Sagebrush Road (County Road 79J) in Township Ten (10) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with US Highway 385 then south approximately two and three-fourths (2 $\frac{3}{4}$) miles along section line between Sections Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Twenty-Three (23), and Twenty-Four(24) to intersection with Antelope Rd (County Road 4A) in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

28

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Milligan Road (County Road 79E) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with US Highway 385 then west along the section line between Section Thirteen (13) and Section Twenty-four (24) and Section Fourteen (14) and Section Twenty-three (23) for a distance of one and one half (1 ½) miles to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

29



FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Milligan Road (County Road 79E) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with South Butte Road (County Road 2K) then east one half (1/2) mile on the section line between Section Seventeen (17) and Section Twenty (20) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

30

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

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WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Limestone Road (County Road 2K) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with South Butte Road (County Road 2K) then east one half (1/2) mile on the section line between Section Twenty (20) and Section Twenty-nine (29) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County



31

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that South Butte Road (County Road 2K) in Township Ten (10) South, Range Eight (8) East of the Black Hills Meridian starting at the intersection with Limestone Road the south one (1) mile along the section line between Section Twenty-nine (29) and Section Thirty (30) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

32

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that South Beef Creek Road (County Road 4D) in Township Eleven (11) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with Hard Scrabble Road (County Road 4S) then west along the section line between Section Eight (8) and Section Seventeen (17) for a distance of one mile to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Wilcox Road (County Road 385D) in Township Eleven (11) South, Range Eight (8) East of the Black Hills Meridian starting at a point one quarter (1/4) mile east of the intersection with US Highway 385 then east about one and one quarter (1 1/4) mile east along the section line between Section Seven (7) and Section Eighteen (18) and Section Eight (8) and Section (17) to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN

34

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Unnamed Road (County Road 3A) in Township Eleven (11) South, Range Nine (9) East of the Black Hills Meridian starting at the intersection with Chardon Road (County Road 3S) then meandering northwest through Section Sixteen(16) for a distance of about one (1) mile to the western section line of said Section in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN H

35

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Hill Crest Road (County Road 5H) in Township Eleven (11) South, Range Seven (7) East & Twelve (12) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with East Ardmore Road (County Road 5) then south along the section line between Section Thirty-one (31) and Section Thirty-two (32) of Township Eleven (11) South and Section Five (5) and Section (6) of Township Twelve (12) South for a distance of approximately one and one quarter (1 ¼) mile to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN H'

36

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Harmony Road (County Road 5I) in Township Eleven (11) South, Range Seven (7) East & Twelve (12) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with East Ardmore Road (County Road 5) then southwest approximately one-tenth (1/10) mile to the section line, then south along the section line between Section Thirty-three (33) and Section Thirty-four (34) of Township Eleven (11) South then meandering southwesterly through Section Four (4) of Township Twelve (12) South to a point near the center of the northwest quarter of the southeast quarter (NW1/4SE1/4) of said section. The total distance of the described road being approximately 2 miles is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

37

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-_____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Unnamed Road in Township Twelve (12) South, Range Six (6) East of the Black Hills Meridian starting at the intersection with Black Banks Road (County Road 20S) then west along the section line between Section Twelve (12) and Section Thirteen (13) for a distance of about one quarter (1/4) mile to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

38

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-____

WHEREAS, SDCL 31-12-48 allows the Fall River County Board of Commissioners to designate secondary highways as no maintenance after conducting a hearing noticed by publication pursuant to SDCL 31-12-48; and

WHEREAS, the Board of Commissioners finds that the notice required by SDCL 31-12-48 has been completed by publication in the Fall River County Herald Star; and

WHEREAS, the Board of Commissioners has determined that the following secondary highway is used less than occasionally or intermittently for passenger and commercial travel pursuant to SDCL 31-12-46; and

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that Unnamed Road (County Road 385C) in Township Twelve (12) South, Range Seven (7) East of the Black Hills Meridian starting at the intersection with US Highway 385 then west along the section line between Section One (1) and Section Twelve (12) for a distance of approximately eight hundred (800) feet to the end of the road in said Township and Range is designated no maintenance.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the Fall River County Highway Superintendent shall post signs required by SDCL 31-12-49 as soon as practicable on said highway.

BE IT FURTHER RESOLVED BY THE FALL RIVER COUNTY COMMISSION, that the United States Forest Service is hereby respectfully requested to add said unnamed road to the Buffalo Gap National Grassland Travel Management Map, as SDCL 31-12-50 requires that said unnamed highway shall remain open to public access.

Moved, passed and adopted this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County

SIGN HERE

39

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

NOTICE IS HEREBY GIVEN that the Fall River County Board of Commissioners, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7, will hold a public hearing at 9:45 o'clock a.m. on March 7, 2024, in the Fall River County Courthouse, Second Floor, Courtroom, 906 N. River St., Hot Springs, South Dakota, to consider a Petition to vacate a public right-of-way, having been proposed to be vacated:

1. That 40' wide portion of Lot 7 of the South Shore Yacht Club Estates Subdivision Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; dividing Lot 7 and Lot 2 to the west and dividing Lot 7 and Garton Tract 1 to the north of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; running on the south and western boundary of Lot 7 of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian.

Interested persons may present an oral testimony at the hearing. Written comments will be received at the office of the County Auditor, 906 N. River St., Hot Springs, South Dakota, 57747, up until the date and time set for the public hearing.

Dated: February 1, 2024

/S/ Sue Ganje
Sue Ganje, County Auditor

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

Prepared By:
Hustead Law Office, P.C.
145 N. Chicago St.
Hot Springs, SD 57747
605-745-5161

40

FALL RIVER COUNTY RESOLUTION #2024-_____

RESOLUTION VACATING:

The 40' wide public access and utility easement dedicated with Plat filed in Book XXIV of Plats on Page 64 to be vacated on Lot 7 of the South Shore Yacht Club Estates Subdivision Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; dividing Lot 7 and Lot 2 to the west and dividing Lot 7 and Garton Tract 1 to the north of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; running on the south and western boundary of Lot 7 of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian;

And as shown in the survey as attached hereto as Exhibit A.

WHEREAS, Revco, LLC, a Nebraska Limited Liability Company, whose post office address 218 Main Street, Chadron, Nebraska 69337, Amanda Vogl and Korey Vogl, whose post office address is 3581 Highway 20, Crawford, NE 69339, and Terry Garton and Juli Garton, whose post office address is 13126 Cool Breeze Road, Hot Springs, SD 57747, all having heretofore presented to the Fall River County Commissioners, State of South Dakota, a Petition for vacation of the following:

The 40' wide portion of Lot 7 of the South Shore Yacht Club Estates Subdivision Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; dividing Lot 7 and Lot 2 to the west and dividing Lot 7 and Garton Tract 1 to the north of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; running on the south and western boundary of Lot 7 of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian;

Which Petition, made by the Owners of all the property abutting both sides of the said portions of the public road to be vacated, sets out that none of the public road described above has been used or traveled as a street, driveway, or highway at any time and

WHEREAS Revco, LLC and Amanda Vogl and Korey Vogl have granted a private access and utility easement according to Exhibit A, but is recorded as a separate easement in the Fall River County Register of Deeds.

WHEREAS, the Fall River County Commissioners did on June 15, 2023, reviewed and directed that said Petition be considered, at 10:25 o'clock a.m. deeming it expedient that said matter should be proceeded with and ordered said Petition filed with the Auditor of said County, and fixed a time for hearing the Petition at the regular meeting of the Fall River County Commissioners on March 7, 2024 at 9:45 o'clock a.m. and directed that notice of said hearing be published once a week for two consecutive weeks in *Fall River County Herald Star*, the official newspaper of said County; and

WHEREAS, due and legal notice of the hearing on said Petition has been given and the Fall River County Commissioners have carefully investigated and considered the matter,

BE IT RESOLVED by the Fall River County Commissioners of Hot Springs, South Dakota, that the vacation of the public road described as follows:

The 40' wide public access and utility easement dedicated with Plat filed in Book XXIV of Plats on Page 64 to be vacated on Lot 7 of the South Shore Yacht Club Estates Subdivision Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; dividing Lot 7 and Lot 2 to the west and dividing Lot 7 and Garton Tract 1 to the north of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; running on the south and western boundary of Lot 7 of Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian.

Be, and the same hereby is Vacated, Reserving, however, Any Easements and Rights of Way presently existing in said street for Public Utility.

Such vacation to take effect on the 20th day after publication of this Resolution unless suspended by the operation of Referendum.

Dated at Hot Springs, Fall River County, South Dakota this 7th day of March, 2024.

APPROVED:

Joe Falkenburg, Chairman
Fall River County Commission

ATTEST:

Sue Ganje, Fall River County Auditor

SIGN HERE

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

On this the _____ day of _____, 2024 before me, _____, the undersigned officer, personally appeared _____, the _____ of the County of Fall River, South Dakota, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

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

Notary Public - South Dakota

My Commission Expires:

(SEAL)

EXHIBIT A

Prepared by:
Cole J. Romey
Hustead Law Office, P.C.
145 N. Chicago St.
Hot Springs, SD 57747
(605) 745.5161



Filed for Record - Fall River County SD
Filed On 01/04/2024 2:45 PM 5 pg
Document# A67311
Book 192M Page 644 Fee \$30.00
Melody Engbretson, Register of Deeds
By AT EASE

PRIVATE ACCESS EASEMENT

This access easement is made and entered into by and between Amanda Vogl and Korey Vogl, (hereinafter "Vogls"), whose post office address is 3581 Highway 20, Crawford, NE 69339, Grantors, and Revco, LLC, a Nebraska Limited Liability Company, whose post office address 218 Main Street, Chadron, Nebraska 69337, (hereinafter "Revco"), Grantee.

WHEREAS the parties wish to provide the for an easement on the real estate situated in Fall River County, South Dakota, described respectively as follows:

Revco's property (the dominant tenement) is legally described as:

Garton Tract 1 of Tract 7 of the South Shore Yacht Club Estates Subdivision
Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven
(7), Township Nine (9) South, Range Six (6) East of the Black Hills Meridian; All
located in Fall River County, South Dakota, as shown on Plat filed in Book
XXVII of Plats, Page 247.

Vogls' property (the servient tenement) is legally described as:

Lot 2 of Tract 6, all in the South Shore Yacht Club Estates Subdivision,
located in SE1/4 of Section 7, Township Nine South, Range Six East, of the
Black Hills Meridian (BHM), Fall River County, South Dakota.

NOW, THEREFORE, IT IS HERBY AGREED AS FOLLOWS:

For good and valuable consideration, the parties agree that there shall be a permanent access and utility easement across the servient tenement for the benefit of the dominant tenement as shown on the attached Exhibit A, for ingress, egress, and utilities. The parties further agree

that the dominant and servient tenements each have the equal right to construct, operate, and maintain the easement.

Grantors reserve the right to use the easement roadway in a manner which will not interfere with the Grantee's use of the easement. The maintenance on the easement will be shared equally between the dominant and servient tenements, and their successors in interest until such time as this easement is abandoned or a road district is established.

The parties further agree that this Easement shall be binding upon Grantors, its heirs, successors, and assigns, and shall inure to the benefit of and run with the property described above.

The parties agree that this is a private access easement and is for the exclusive use of the Grantee, its agents, employees, and guests, and is not for use by the public or any third party.

The parties further agree that if the Grantors, Vogls, or its successor(s) in interest wish to subdivide the Grantors' land for residential or commercial development, and if such individuals or entities, who are grantees of the Grantors' subdivision, desire to use the Easement contained herein and described on Exhibit A, that Revco specifically and expressly agrees that this Easement described in Exhibit A provides ingress and egress to those individuals or entities who have been granted parcels of real estate in such subdivision and to their respective agents, employees and guests, and is not for use by the public.

Grantors specifically reserves the future right to dedicate to the public the Easement contained herein and on Exhibit A and Grantee agrees to this.

[The remainder of this page is intentionally left blank. Signature pages follow on the next two pages].

GRANTORS:

Dated this 4th day of September, 2023.

BY Amanda Vogl
Amanda Vogl

VOGL

BY Korey Vogl
Korey Vogl

STATE OF NEBRASKA)
COUNTY OF Dawes)ss

On this 19th day of December, 2023, before me,
Alivia Hamady, the undersigned officer, personally appeared Korey Vogl and
Amanda Vogl, (marital status) Single persons, known to me to be the persons whose
names are subscribed to the foregoing instrument, and acknowledged to me that they executed
the same for the purposes therein contained.

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

ALIVIA M HAMADY
Notary Public - State of Wyoming
Commission ID 162661
My Commission Expires APRIL 23, 2029

My commission expires: April 23, 2029
(SEAL)

Alivia M Hamady
Notary Public

GRANTEE:

Dated this 18th day of December, 2023.

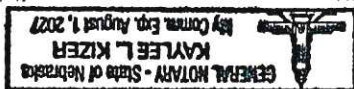
REVCO, LLC

BY: Senna B Reeves *Senna B Reeves*

ITS: Secretary/Treasurer

STATE OF NEBRASKA)
)ss
COUNTY OF Dawes)

On this the 18 day of December, 2023, before me,
Senna Reeves, the undersigned officer, personally appeared SENNA REEVES, who
acknowledged herself to be managing member of Revco, LLC, a Nebraska Limited Liability
Company, and that she, as such being authorized so to do, executed the foregoing instrument for
the purposes therein contained, by signing the name of the corporation by herself as Senna
Reeves, Member-manager.



Kaylee L. Kizer

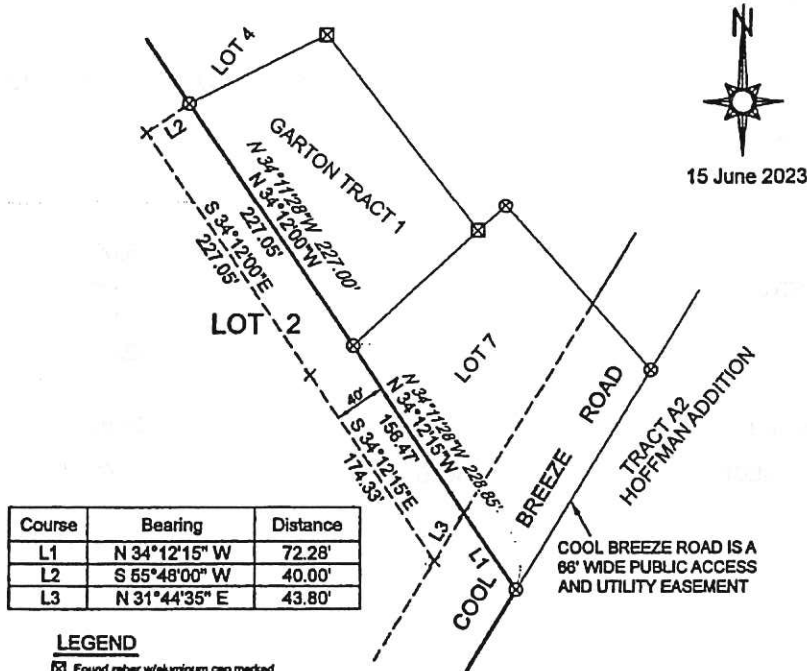
Notary Public

My Commission Expires: August 1, 2027
(SEAL)

84 C.J.R.

EXHIBIT "A"

A 40' WIDE PRIVATE ACCESS AND UTILITY EASEMENT IN LOT 2 OF TRACT 6, SOUTH SHORE YACHT CLUB ESTATES SUBDIVISION, LOCATED IN THE SE1/4 OF SECTION 7, T9S, R6E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA



LEGEND

- Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- 522.05' Start lettering denotes record calls

X angle point not monumented
easement row line



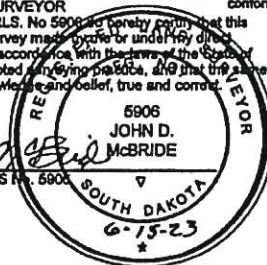
BASIS OF BEARING - GPS OBSERVATION

taken N 20°43'10" E 688.31' from the SE corner of Lot 2 of Tract 6.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°16'54.6447"
LONG: -103°26'58.46291"

CERTIFICATION OF SURVEYOR

I, John D. McBride, SDRLS, No. 5906, do hereby certify that this drawing represents a survey made by me or under my direct personal supervision in accordance with the laws of the State of South Dakota and accepted engineering practice, and that the same is, to the best of my knowledge and belief, true and correct.

John D. McBride, SDRLS No. 5906



EASEMENT DESCRIPTION

Commencing at the SE corner of Lot 2, said point being marked by an aluminum cap marked "ANDERSEN PLS 2842"; Thence N 34°12'15" W a distance of 72.28' along the East lot line of Lot 2 to the Northern R.O.W. of Cool Breeze Road, said point being the point of beginning of this easement; Thence N 34°12'15" W a distance of 158.47' along the Eastern lot line of Lot 2 to a point of tangency, said point being marked with an aluminum cap marked "ANDERSEN PLS 2842"; Thence N 34°12'00" W a distance of 227.05' along the Eastern lot line of Lot 2 to a point of intersection with an aluminum cap marked "ANDERSEN PLS 2842"; Thence S 55°48'00" W a distance of 40.00' along the Northern edge of this easement; Thence S 34°12'00" E a distance of 227.05' to a point of tangency; Thence S 34°12'15" E a distance of 174.33' to a point of intersection with the Northern R.O.W. of Cool Breeze Road; Thence N 31°44'35" E a distance of 43.80' along the Northern R.O.W. of Cool Breeze Road to a point of intersection with the Eastern lot line of Lot 2, said point being the point of termination of this easement, said point being N 34°12'15" W a distance of 72.28' from the SE corner of Lot 2.

Said easement is 40' wide and contains 0.36 acres, more or less. The easement lines shall be lengthened or shortened as required to conform to existing ROW and/or property lines.

Prepared by ANDERSEN ENGINEERS Land Surveyors	
Drawn by RW	Date 8/16/2023
Approved by McB	Date 8/16/2023
Scale 1"=100'	Sheet 1 of 1
P.O. Box 446 Edgemont, SD 57735 (605)-462-5500 andersonengineers@gwc.net	File Name: L8_TR0_ESMT_SSXYE

.RECEIPT
Fall River County Register of Deeds Office
Melody Engebretson - Register of Deeds

906 N River St
Hot Springs, SD 57747
605-745-5139

HUSTEAD LAW OFFICE PC
145 N CHICAGO STREET
HOT SPRINGS SD 57747

Receipt #: 202400000029
Issued Date: 01/04/2024
Account #: 3275

Document #: A 67311
Instrument: EASEMENT
On Behalf of: REVCO LLC
Comments:

Recorded Date: 1/4/24 2:45:00PM

Services:

M&P FILING	3.00
M&P SDACO FLOW THRU	2.00
ROD FEES	25.00
Transaction Total	30.00

Total Amount this Receipt	30.00
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Payment Method	CHECK	3086	30.00
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Petition to Commission -
accept + set Hearing
Notice of Hearing -
3-7-24 Publ 2/22 + 2/29

Re: [EXT] Revco Petition to Vacate

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

Tue 1/23/2024 2:04 PM

To: cromeey@husteadlaw.com <cromeey@husteadlaw.com>; Auditor's Office <agenda@frcounty.org>

Hi Cole, thanks for reaching out today. This petition to vacate will go on the next agenda on 2-1-24. Looking back, I do have a petition, but with no signatures. Can you get me that?

I will have them accept the petition and set a hearing date on 2-1-24. I believe the hearing date will need to be 3-7-24. To try and get it on the 2-15-24 agenda, the second publication would be the same date as the hearing. I will get a time for the hearing.

Thank you for the hearing and resolution forms. Let me know on the petition.

I will forward this to Lance to start his review.

Let me know if I am missing anything, or you have any other questions.

Thanks,

Sue Ganje
County Auditor
Fall River/Oglala Lakota County
605-745-5130

From: cromeey@husteadlaw.com <cromeey@husteadlaw.com>

Sent: Thursday, January 18, 2024 1:00 PM

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

Subject: Re: [EXT] Revco Petition to Vacate

Hi Sue,

Circling back on this, I have attached the easement which was signed and filed at the ROD just for your reference. This complies with FRC Ordinance 2012-02 now—which is why I held this process up. Took quite a while to garner those signatures.

Anyway, I have attached the notice of hearing and resolution. I think the only other thing necessary is a set hearing date with the commissioners for after publication.

Thanks,

 A green and white sign with white text
Description automatically generated

Cole J. Romey

Associate Attorney

Licensed in South Dakota | Nebraska

Tel: (605) 745-5161 | Fax: (605) 745-3154

145 N Chicago St, Hot Springs, SD 57747

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From: Ganje, Sue <Sue.Ganje@state.sd.us>
Date: Wednesday, June 7, 2023 at 11:46 AM
To: cromey@husteadlaw.com <cromey@husteadlaw.com>
Subject: Re: Revco Petition to Vacate

Hi Cole, I received your petition by email on June 1. The Board of Commissioners met that morning, so they have not had a chance to review the petition yet. I am taking it to the board on 6-15 to set the hearing date. I am recommending the hearing date to be 7-6, which allows for 2 publications.

I will reach out to you as we get closer to give you a time to be there.

Let me know if you have any questions. I will be out this afternoon.

Thanks Cole,

Sue Ganje
County Auditor
Fall River/Oglala Lakota County
605-745-5130

From: cromey@husteadlaw.com <cromey@husteadlaw.com>
Sent: Wednesday, June 7, 2023 11:03 AM
To: Ganje, Sue <Sue.Ganje@state.sd.us>
Subject: [EXT] Revco Petition to Vacate

Dear Sue:

Could I trouble you for date and time that the County reviewed the petition and the date and time that it will be set on for a hearing? I think you told me at our meeting on Monday and I forgot to write it down.

All the best,

Cole J. Romey

Associate Attorney

HUSTEAD LAW OFFICE, P.C.

145 North Chicago Street

Hot Springs, SD 57747

Tel: (605) 745-5161

Fax: (605) 745-3154

Email: cromey@husteadlaw.com

www.husteadlaw.com

Licensed in South Dakota | Nebraska

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Prepared by:

Hustead Law Office, P.C.
145 N. Chicago Street
Hot Springs, SD 57747
605-745-5161

PETITION TO VACATE DEDICATED PUBLIC HIGHWAY

TO THE FALL RIVER COUNTY COMMISSIONERS:

WE, THE UNDERSIGNED adjacent owners of the real property in Fall River County in the State of South Dakota, pursuant to SDCL 31-3-6, petition the Fall River County Commission to vacate the below listed dedicated public highway, as the public interest will be better served by the proposed vacating of the dedicated public highway:

1. The beginning, course, and termination of the dedicated public highway to be vacated are as follows:

That 40' wide portion of Lot 7 of the South Shore Yacht Club Estates Subdivision
Located in the North Half of the Southeast Quarter (N1/2SE1/4) of Section Seven (7),
Township Nine (9) South, Range Six (6) East of the Black Hills Meridian;

dividing Lot 7 and Lot 2 to the west and dividing Lot 7 and Garton Tract 1 to the north of
Section Seven (7), Township Nine (9) South, Range Six (6) East of the Black
Hills Meridian;

running on the south and western boundary of Lot 7 of Section Seven (7),
Township Nine (9) South, Range Six (6) East of the Black Hills Meridian;

And as shown in the survey as attached hereto as Exhibit A.

2. Two-thirds of the landowners adjacent to the location of the dedicated public highway are:

Terry and Juli Garton
13126 Cool Breeze Rd
Hot Springs, SD 57747

Korey and Amanda Vogl
3581 Highway 20
Crawford, NE 69339

Revco, LLC
218 Main Street,
Chadron, Nebraska, 69337

3. That the petitioners seek to vacate the said highway as it has never been used as a highway nor is it needed for access and is undeveloped.

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

[SIGNATURES FOLLOW ON THE NEXT THREE PAGES. PAGE IS INTENTIONALLY LEFT BLANK]

Re: [EXT] Petition to Vacate a Public Road

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

Thu 6/1/2023 3:48 PM

To: crome@husteadlaw.com <crome@husteadlaw.com>

Hi Cole. Just a couple questions....I normally get an original signature petition; can we do that? I noted the misspelling on the Exhibit A, but that should be fine.

We do require petitioners to also create the Resolution if you can do that it. I am assuming the hearing will be the first meeting in July to meet publication requirements, but I can confirm that with you.

I will let you know if I have any other questions but will get the process going.

Thanks Cole!

Sue Ganje
County Auditor
Fall River/Oglala Lakota County
605-745-5130

From: crome@husteadlaw.com <crome@husteadlaw.com>

Sent: Thursday, June 1, 2023 2:18 PM

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

Cc: auditor@frcounty.org <auditor@frcounty.org>

Subject: [EXT] Petition to Vacate a Public Road

Dear Sue:

Please see attached petition, exhibit, and proposed notice to be published. I can also draft a proposed resolution, unless that is something the County does.

I would welcome any corrections or additions.

All the best,

Cole J. Romey

Associate Attorney

HUSTEAD LAW OFFICE, P.C.

145 North Chicago Street

Hot Springs, SD 57747

Tel: (605) 745-5161

Fax: (605) 745-3154

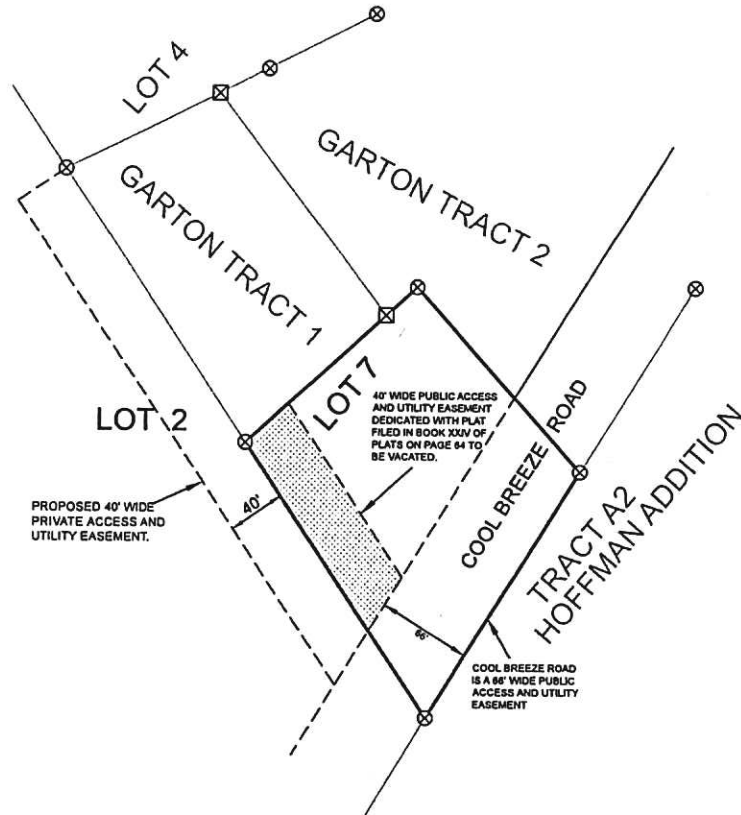
Email: crome@husteadlaw.com

www.husteadlaw.com

Licensed in South Dakota | Nebraska

EXHIBIT "A"

SHOWING A 40' WIDE PUBLIC ACCESS AND UTILITY EASEMENT TO BE VACATED IN LOT 7 OF TRACT 7, AND SHOWING THE PROPOSED 40' WIDE PRIVATE ACCESS AND UTILITY EASEMENT IN LOT 2 OF TRACT 6, ALL IN SOUTH SHORE YACHT CLUB ESTATES SUBDIVISION, LOCATED IN THE SE1/4 OF SECTION 7, T9S, R6E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA



LEGEND

- ⊗ Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ⊙ Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- 522.06' Slant lettering denotes record calls
- ▨ AREA TO BE VACATED
- × angle point not monumented
- easement row line

0 100
SCALE IN FEET




CERTIFICATION OF SURVEYOR

I, Dustin M. Ross, SDRLS. No 13405 do hereby certify that this drawing represents a survey made by me or under my direct personal supervision in accordance with the laws of the State of South Dakota and accepted surveying practice, and that the same is, to the best of my knowledge and belief, true and correct.

Dustin M. Ross
Dustin M. Ross, SDRLS No. 13405

BASIS OF BEARING - GPS OBSERVATION
taken N 36°06'29" E 429.51' from the NE corner of Lot 7, Tract 7.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°16'54.64477"
LONG: -103°26'58.46291"

 Prepared by ANDERSEN ENGINEERS <i>Land Surveyors</i>		
Drawn by RW	Date 8/24/2022	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500 andersenengineers@gwic.net
Approved by DR	Date 10/19/2022	
Scale 1"=100'	Sheet 1 of 1	File Name: L0_TR6_ESMT_SSYCE

Re: [EXT] Petition to Vacate a Public Road

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

Thu 6/1/2023 3:48 PM

To: crome@husteadlaw.com <crome@husteadlaw.com>

Hi Cole. Just a couple questions....I normally get an original signature petition; can we do that? I noted the misspelling on the Exhibit A, but that should be fine.

We do require petitioners to also create the Resolution if you can do that it. I am assuming the hearing will be the first meeting in July to meet publication requirements, but I can confirm that with you.

I will let you know if I have any other questions but will get the process going.

Thanks Cole!

Sue Ganje
County Auditor
Fall River/Oglala Lakota County
605-745-5130

From: crome@husteadlaw.com <crome@husteadlaw.com>

Sent: Thursday, June 1, 2023 2:18 PM

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

Cc: auditor@frcounty.org <auditor@frcounty.org>

Subject: [EXT] Petition to Vacate a Public Road

Dear Sue:

Please see attached petition, exhibit, and proposed notice to be published. I can also draft a proposed resolution, unless that is something the County does.

I would welcome any corrections or additions.

All the best,

Cole J. Romey

Associate Attorney

HUSTEAD LAW OFFICE, P.C.

145 North Chicago Street

Hot Springs, SD 57747

Tel: (605) 745-5161

Fax: (605) 745-3154

Email: crome@husteadlaw.com

www.husteadlaw.com

Licensed in South Dakota | Nebraska

31-3-6. Petition to locate, change, or vacate a highway.

Upon receiving a petition signed by two or more voters of an organized civil township, the board of supervisors, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may, except as provided in §§ 31-3-12 and 31-3-44, vacate, change, or locate a highway in the township, if the public interest will be better served by the action.

Upon receiving a petition signed by voters of the county, at least equal in number to one percent of those who cast ballots in the county during the last gubernatorial election, the board of county commissioners, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may, except as provided in §§ 31-3-12 and 31-3-44, vacate, change, or locate a highway in the county, if the public interest will be better served by the action.

Upon receiving a petition signed by two thirds of the adjacent landowners or all adjacent landowners if there are fewer than three, the board of county commissioners, having jurisdiction, shall provide for a public hearing, as required by § 31-3-7, and after consideration of all information, opinions, and arguments presented, may vacate the highway, if the public interest will be better served by the action.

The petition must set forth the beginning, course, and termination of the highway proposed to be located, changed, or vacated and, if applicable, the name of each person owning the land through which the proposed highway may pass.

Source: SDC 1939, § 28.0410; SL 1984, ch 208, § 2; SL 1985, ch 233, § 1; SL 2021, ch 122, § 1.

31-3-6.1. Access to public lands or public waters.

Notwithstanding any other provisions of this chapter, no county or township may vacate a highway which provides access to public lands or public waters embracing an area of not less than forty acres.

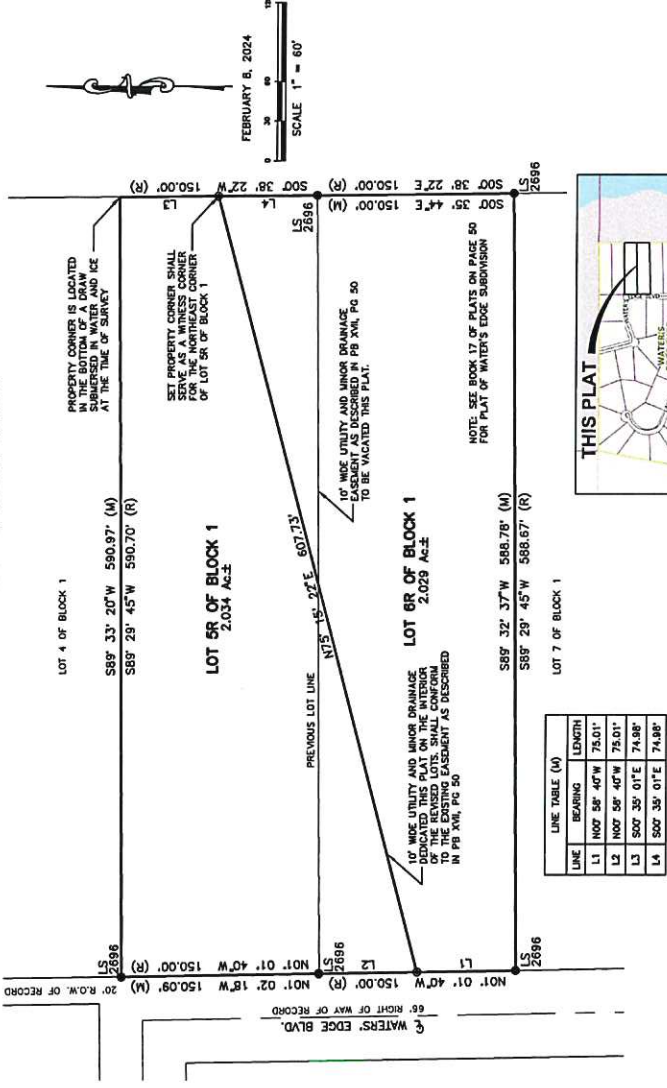
Source: SL 1989, ch 253, § 1; SL 2012, ch 154, § 1; SL 2018, ch 170, § 1.

31-3-7. Public hearing--Notice--Affirmative resolution of board--Order.

In case of the filing of a petition described in § 31-3-6, the board shall, after giving notice of a public hearing, hold a public hearing called for the purpose of receiving public testimony about the action proposed by the petition. The board shall give notice of the public hearing by publication in the official newspaper of said township, if any, otherwise in the nearest legal newspaper of said county, once each week for at least two consecutive weeks. The notice of the public hearing shall state the purpose, date, time, and location of the hearing and a legal description of the location of the highway and the action proposed by the petition and how information, opinions, and arguments may be presented by any person unable to attend the hearing. The board shall, by resolution, determine whether the public interest will be better served by such proposed vacating, changing, or locating of the highway in question, and upon resolution in the affirmative, shall make its order that such highway be vacated, changed, or located.

Source: SDC 1939, § 28.0411; SL 1951, ch 138, § 1; SL 1985, ch 233, § 2.

PLAT OF
LOT 5R AND LOT 6R OF BLOCK 1,
WATER'S EDGE SUBDIVISION
(formerly Lot 5 and Lot 6 of Block 1, Water's Edge Subdivision)
LOCATED IN THE NW¼ OF THE NE¼
SECTION 30, T8S, R6E, BHM
FALL RIVER COUNTY, SOUTH DAKOTA



- Denotes set 5/8" rebar with survey cap marked *Janis LS 11700*
- Denotes Found Survey Monument as noted
- (R) Denotes Recorded in previous plot or description.
- (U) Denotes Measured this survey.
- CB Denotes Chord Bearing
- CD Denotes Chord Distance

Basis of Backlogs: Cessatile North determined by Ceball Positioning (GPS) utility and minor drainage easements: 10' on the interior sides of all lot lines, except where major drainage easements exist.

Any major drainage easement shown herein shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect, and repair such improvements and structures as it deems expedient to facilitate drainage from any source.

State of South Dakota

We, the undersigned, do hereby certify that we are the owners of the land shown and described herein; that the survey was done at our request for the purposes indicated herein; that we do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Any land shown on the within plot as dedicated to public right of way is hereby dedicated to public use and public utility use as such, forever, but such dedication shall not be construed to be a donation of the fee of such land.

Question

On the _____ day of _____, 20_____, before me, a Notary Public, personally appeared James C. & Eileen M. Kasli, known to me to be the person(s) described in the foregoing instrument and acknowledged to me that they signed the same.

Notary Public: _____
My Commission Expires: _____

Whereas, there has been presented to the County Commission

Whereas, there has been presented to the County Commissioners of Fall River County, South Dakota, the within part of the above described tract, and it appearing to the Board that the system of entries conforming to the system of existing plots and section line of the Board of Commissioners is a more equitable and efficient method of subdividing the land, and that the same or section line when physically assessed and assessed on the basis of the county subdivision regulations have been complied with all taxes and special assessments upon the property have been fully paid, and the plot and survey have been lawfully executed; now and therefore, BE IT RESOLVED that said plot is hereby

CERTIFICATE OF COUNTY AUDITOR

I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of County Commissioners of Fall River County, South Dakota, at a meeting held on the _____ day of _____, 20____.

CERTIFICATE OF SURVEYOR
State of South Dakota
County of Foll River

I, Jeffrey L. Jonia, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

CERTIFICATE OF HIGHWAY AUTHORITY

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

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

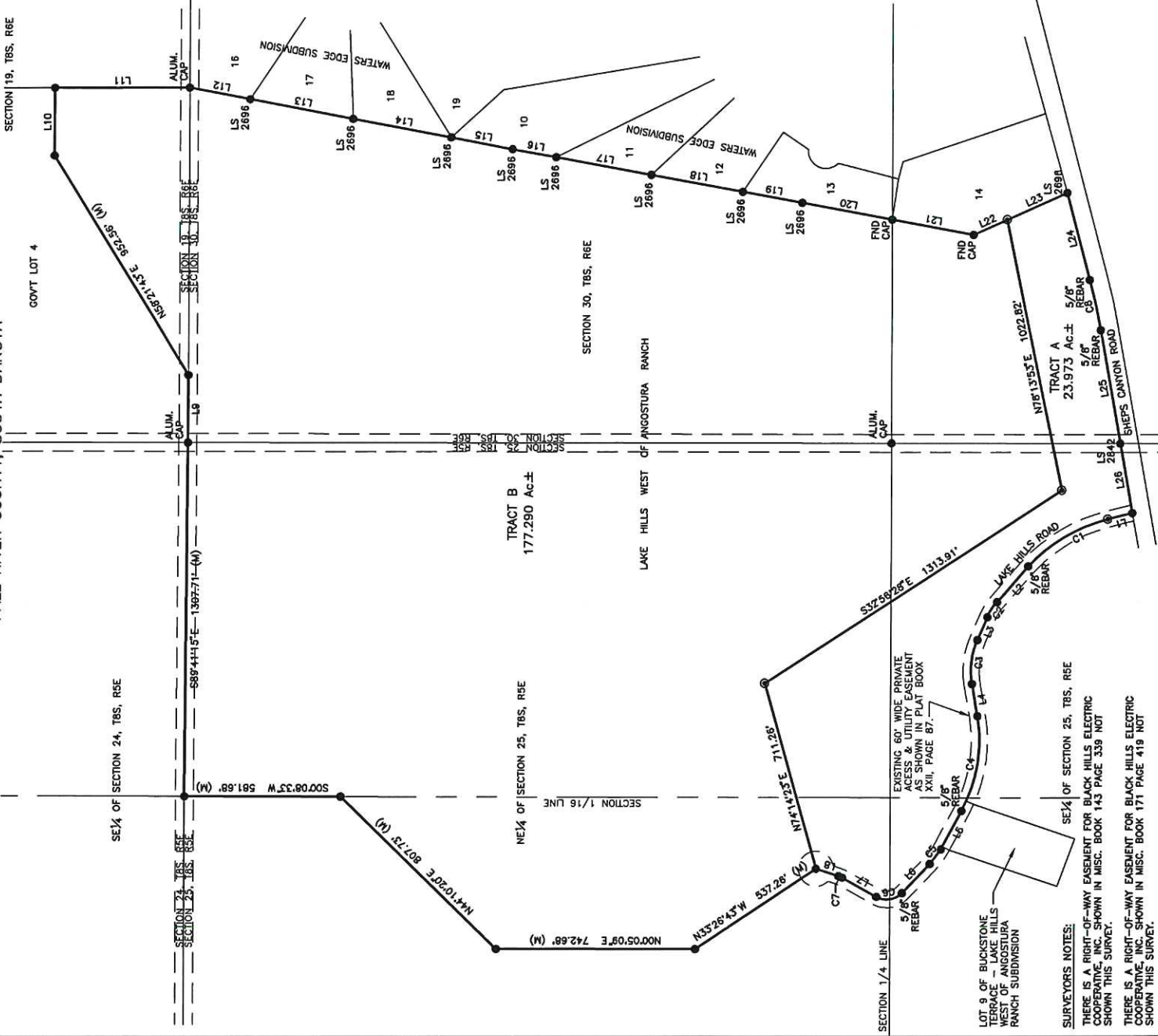
I, Foll River County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.

in Book _____ of Plots on page _____.

PREPARED BY: LONGBRANCH CIVIL ENGINEERING, INC. * 1220 EAST MINNESOTA STREET * RAPID CITY SD 57701 * (605) 721-4040

PLAT OF
TRACT A AND TRACT B OF
LAKE HILLS WEST OF ANGOSTURA RANCH TRACT

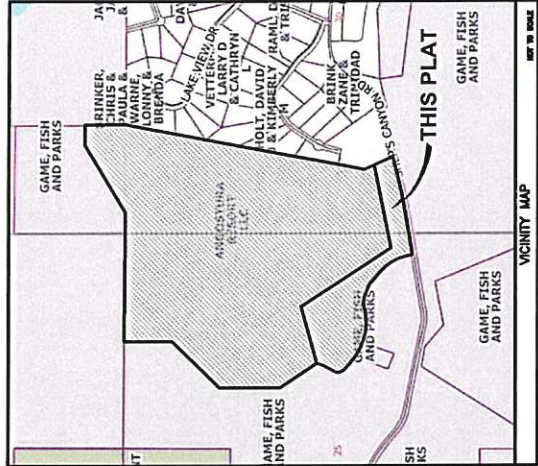
(formerly Lake Hills West of Angostura Ranch Tract)
LOCATED IN THE E $\frac{1}{2}$ OF SECTION 25, T8S, R5E, AND IN THE W $\frac{1}{2}$ OF SECTION 30, T8S, R6E, AND
IN GOVERNMENT LOT 4 OF SECTION 19, T8S, R6E, B.H.M.,
FALL RIVER COUNTY, SOUTH DAKOTA



LINE TABLE (M)			LINE TABLE (R)		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N1°30'45"W	93.45'	L1	N12°11'06"W	93.01'
L2	N48°47'16"W	176.14'	L2	N45°20'52"W	176.46'
L3	N65°26'51"W	91.90'	L3	N6°41'55"W	92.11'
L4	S80°02'22"W	120.57'	L4	S82°15'02"W	120.83'
L5	N61°43'34"W	146.32'	L5	N59°33'47"W	146.18'
L6	N46°17'53"W	146.33'	L6	N43°57'25"W	148.80'
L7	N28°59'04"E	146.33'	L7	N31°10'00"E	146.38'
L8	N17°51'53"E	86.89'	L8	N17°51'53"E	86.89'
L9	S89°53'39"E	250.29'	L9	S87°47'38"E	250.00'
L10	S89°56'45"E	250.15'	L10	S87°47'38"E	250.00'
L11	S00°09'23"E	500.11'	L11	S02°00'39"E	500.00'
L12	S10°42'16"W	230.11'	L12	S12°52'37"W	229.98'
L13	S10°42'53"W	390.01'	L13	S12°52'24"W	389.97'
L14	S10°41'14"W	370.59'	L14	S12°48'25"W	370.12'
L15	S10°47'23"W	232.64'	L15	S13°01'41"W	233.02'
L16	S10°19'41"W	165.94'	L16	S12°29'16"W	165.92'
L17	S10°28'36"W	361.01'	L17	S12°36'20"W	360.89'
L18	S10°27'06"W	345.57'	L18	S12°36'35"W	345.40'
L19	S10°26'34"W	224.63'	L19	S12°36'00"W	224.81'
L20	S10°34'48"W	339.22'	L20	S12°44'56"W	339.16'
L21	S10°34'05"W	309.35'	L21	S12°44'11"W	309.28'
L22	S23°50'18"E	137.77'	L22	S21°41'11"E	353.21'
L23	S23°50'18"E	245.55'	L23	S77°24'46"W	379.82'
L24	S75°13'39"W	333.13'	L24	S82°07'42"W	426.70'
L25	S79°57'35"W	428.80'	L25	S82°07'42"W	426.70'
L26	S79°58'30"W	261.55'	L26	S82°07'42"W	261.42'

CURVE TABLE (M)				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	348.92'	602.86'	33°09'40"	N30°25'35"W
C2	65.99'	200.00'	18°54'16"	N57°02'53"W
C3	166.30'	284.51'	33°29'22"	N83°09'45"W
C4	361.81'	538.73'	36°28'47"	N80°36'23"W
C5	81.03'	300.00'	15°28'29"	N53°54'57"W
C6	101.78'	77.70'	75°03'06"	N08°14'39"W
C7	14.02'	72.31'	11°06'33"	N23°39'58"E
C8	190.45'	1967.00'	5°32'51"	S77°13'08"W

CURVE TABLE (R)				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	347.28'	600.00'	33°09'47"	N28°45'59"W
C2	66.04'	200.00'	18°55'05"	N54°46'25"W
C3	165.89'	284.51'	33°24'27"	N81°00'32"W
C4	360.25'	605.04'	34°06'54"	N78°28'07"W
C5	81.01'	300.00'	15°28'17"	N51°50'45"W
C6	101.79'	77.70'	75°03'25"	N06°27'17"W
C7	14.05'	72.31'	11°07'58"	N25°36'02"E
C8	193.83'	1967.00'	5°38'48"	S79°18'27"W



NOTES:
● Denotes set 5/8" rebar with survey cap marked "Jena LS 11700"
● Denotes Found Survey Monument marked "LS 9850" unless otherwise noted.
(R) Denotes Recorded in previous plat or description.
(M) Denotes Measured this survey.
CB Denotes Chord Bearing
CD Denotes Chord Distance
Basis of Bearings: Geodetic North determined by Global Positioning (GPS)
Utility and Minor Drainage Easements: 10' on the interior sides of all lot lines, except where major drainage easements exist.
Any major drainage easement shown herein shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, maintain, repair, and report on such easements which public authorities shall be responsible for maintaining and reporting on such easements as it deems appropriate to facilitate drainage from any source.



PLAT OF
TRACT A AND TRACT B OF
LAKE HILLS WEST OF ANGOSTURA RANCH TRACT
(formerly Lake Hills West of Angostura Ranch Tract)
LOCATED IN THE E½ OF SECTION 25, T8S, R5E, AND IN THE W½ OF SECTION 30, T8S, R6E, AND
IN GOVERNMENT LOT 4 OF SECTION 19, T8S, R6E, B.H.M.,
FALL RIVER COUNTY, SOUTH DAKOTA

CERTIFICATE OF OWNERSHIP
State of South Dakota
County of Fall River s.s.

I, Ryan Kaski, do hereby certify that I am a member of ANGOSTURA RESORT, L.L.C., a corporation, and the owner of the land shown and described hereon; that the survey was done at my request for the purposes indicated hereon; that I do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

Any land shown on the within plat as dedicated to public right of way is hereby dedicated to public use and public utility use as such, forever, but such dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

Owner: ANGOSTURA RESORT, L.L.C.

By: Ryan Kaski, Member
On the ____ day of _____, 20____, before me, a Notary Public, personally appeared Ryan Kaski, a Member of ANGOSTURA RESORT, L.L.C., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he signed the same.

Notary Public: _____
My Commission Expires: _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

Whereas, there has been presented to the County Commissioners of Fall River County, South Dakota, the within plat of the above described lands, and it appearing to the Board that the same are lands owned by a member of the County, and that the same are lands within the county; adequate provision is made for access to adjacent unpatented lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid, and the plat and survey have been lawfully executed; now and therefore,
BE IT RESOLVED that said plat is hereby approved in all respects.

Dated this ____ day of _____, 20____.

Chairperson, Fall River County Board of Commissioners

CERTIFICATE OF COUNTY AUDITOR

I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of County Commissioners at Ogilvie, South Dakota, at a meeting held on the ____ day of _____, 20____.

Fall River County Auditor



CERTIFICATE OF SURVEYOR
State of South Dakota
County of Pennington s.s.

I, Jeffrey L. Janis, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plot is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

Jeffrey L. Janis, Registered Land Surveyor Date

CERTIFICATE OF HIGHWAY AUTHORITY

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

Highway Authority Date

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

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

Dated this ____ day of _____, 20____.

Director of Equalization of Fall River County

CERTIFICATE OF COUNTY TREASURER

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

Dated this ____ day of _____, 20____.

Treasurer

CERTIFICATE OF THE REGISTER OF DEEDS

Filed this ____ day of _____, 20____, at ____ o'clock ____ M.
In Book ____ of Plats on page ____.

Fall River County Register of Deeds Fee: \$ _____

FALL RIVER COUNTY RESOLUTION #2024-__

**PLAT OF LOT 5R AND LOT 6R OF BLOCK 1, WATER'S EDGE SUBDIVISION
(FORMERLY LOT 5 AND LOT 6 OF WATER'S EDGE SUBDIVISION) LOCATED IN
THE NW ¼ OF THE NE ¼ SECTION 30, T8S, R6E, 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 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Board of Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County Auditor

49

FALL RIVER COUNTY RESOLUTION #2024-__

**PLAT OF TRACT A AND TRACT B OF LAKE HILLS WEST OF ANGOSTURA
RANCH TRACT (FORMERLY LAKE HILLS WEST OF ANGOSTURA RANCH
TRACT) LOCATED IN THE E ½ OF SECTION 25, T8S, R5E, AND IN THE W ½ OF
SECTION 30, T8S, R6E, AND IN GOVERNMENT LOT 4 OF SECTION 19, T8S, R6E,
B.H.M., 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 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Board of Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County Auditor

50

[EXT] Current Provo Water Board Members

stearnsjm@goldenwest.net <stearnsjm@goldenwest.net>

Wed 2/28/2024 2:22 PM

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

Jerry just confoirmed weith me the current members of the water board

Lyle Goodman—needs to be replaced

Jerry Stearns

Bill Tanner

Travis Weldon

Gene Plant.

Sterling is only on Provo Township but he is required to sign checks that affect Provo Water, which at this point he is refusing to do so.

Melissa A. Stearns

605-890-6786

605-745-6786-fax

Polling Place Accessibility

Getting Assistance While Voting



Voters who have a disability or physical limitations may ask for assistance at the polling place. Voters can contact your local [County Election Official](#) before Election Day if special arrangements are needed. Federal law requires all polling places to be accessible. If you feel your polling place is inaccessible, please contact your County Auditor.

The Help America Vote Act (HAVA) requires that each polling place for any Federal election provide a voting device equipped to allow voters with disabilities the means to vote independently and privately. South Dakota has chosen the [ExpressVote by Election Systems and Software](#).

ExpressVote

Voters wishing to use the ExpressVote in South Dakota will receive a paper ballot activator card. The voter will then insert the ballot activator card into the ExpressVote and an electronic version of the ballot will appear on the screen. The images of the ballot contests can be enlarged for easier reading, shown in reverse contrast, or turned off for privacy if a voter chooses to access the ballot by attached headphones and keypad. The audio description of the ballot can be used in place of or in conjunction with the visual version on the screen. The voter makes selections through the touch screen or keypad. (A voter may also bring an A/B switch to access the ExpressVote.)



The ExpressVote warns of undervotes and will not allow overvotes. The voter may make changes before the ballot is marked. The voter is provided a summary of selections. When the voter selects "Mark Ballot," the voters' selections are printed and the ballot activator card is ejected. The ExpressVote keeps no record of votes. It is a paper-based, electronic ballot marking device.

If a marked ballot is inserted back into the ExpressVote, the touch screen will display the selections marked on the ballot. The headphones will also describe the selections marked on that ballot simultaneously.

The voter takes the marked ballot card to the precinct ballot box for casting. All ballots—whether voted by pen or ExpressVote go into the same ballot box. A ballot privacy sleeve is provided to all voters.

The ExpressVote can serve every eligible voter, including those with special needs. As a fully compliant ADA voting solution, the ExpressVote allows both standing and seated voters to mark and cast their ballot activator cards independently. An accessible keypad equipped with braille and the ability to use rocker panel and Sip-and-Puff devices make ExpressVotes key in South Dakota elections.

Absentee Voting

If you feel you cannot vote on the day of the election, please fill out an absentee ballot application and mail it to your [County Election Official](#) by 5:00 pm the day before the election to receive an absentee ballot. Absentee voting begins 46 days prior to the primary and general elections.

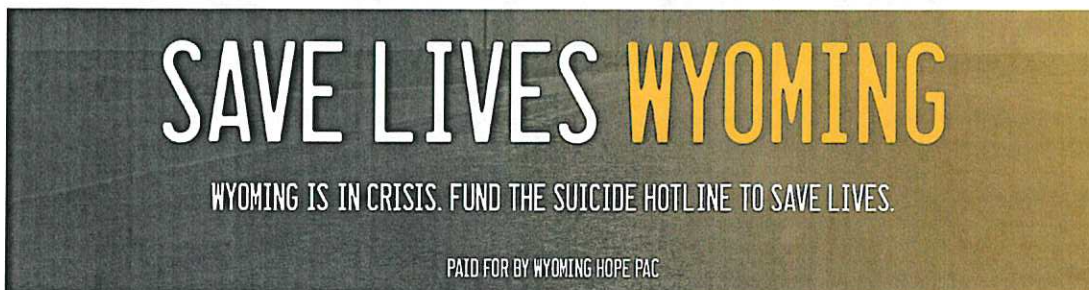
Download an absentee ballot application by visiting the [absentee voting page](#).

If you are seeking further assistance, please contact the following groups:

South Dakota Secretary of State
500 E. Capitol Ave, Ste. 204
Pierre, SD 57501
(605) 773-3537
Fax: (605) 773-6580
[E-Mail](#)

Disability Rights South Dakota
2520 E. Franklin St. Ste 2
Pierre, SD 57501
1-800-658-4782 (Voice/TTY)
Fax: (605) 224-5125
[Email](#)

South Dakota Coalition of Citizens with Disabilities
221 S. Central Ave. Suite #34A
Pierre, SD 57501
Phone: (605) 945-2207
V/TDD: 1 (800) 210-0143
Fax: (605) 945-2422
[Email](#)



Bill To Ban Tracking Of Wyoming Gun, Ammo Sales Heads To House Floor

Speaking in support of a bill that would ban the tracking of gun and ammo sales, Sen. Anthony Bouchard said "everything you buy is tracked and data is sold. The problem is on the gun side, that data could be used for nefarious purposes."



Mark Heinz

March 04, 2024 • 4 min read



State Sen. Anthony Bouchard testifying in favor of Senate File 105 on March 4, 2024 (Matt Idler)

A "merchant code" specific to buying firearms could hurt small businesses and provide the government and anti-gun groups with [data about who's buying guns and ammunition](#) in Wyoming, backers of a bill to ban it said.

"I can assure you that everything you buy is tracked and data is sold. The problem is on the gun side, that data could be used for nefarious purposes," state Sen. Anthony Bouchard, R-Cheyenne, told the Wyoming House Judiciary Committee.

Tracking firearms and ammunition sales could be used to "prejudicially" put small gun shops out of business, Nephi Cole, spokesman for the National Shooting Sports Foundation, told the committee as he testified in favor of [Senate File 105](#).



However, committee member Rep. Ken Chestek, D-Laramie, questioned the need for a Wyoming law addressing the merchant code. If the government is using data tracking from such codes for nefarious purposes, that's a matter best left for Congress to deal with, he said.

"It is not illegal to sell guns, it is not illegal to manufacture guns," he said. "But you're suggesting that the administration is somehow trying to use this information improperly to put improper pressure on that industry. If that's the problem, then why don't we solve that problem instead of this one?"

The committee voted to advance SF 105 to the House floor, with Chestek casting the sole vote against it.

'Suspicious Activity'

Merchant codes specific to credit card gun and ammunition purchases were initially implemented in 2022, SF 105 sponsor Sen. Dan Laursen, R-Powell, told the committee.

A handful of other states have already prohibited the use of those codes while others have made it mandatory, he said.

"California mandates the code. Other states are working on legislation to mandate it within their borders. The result will be denials of sales and services to their citizens, and closures of many firearms stores in those states," Laursen said.



Records of firearms or ammunition purchases could also be used to prompt "a suspicious activity report" with law enforcement agencies, he said.

"The bill isn't about the credit cards. The issue is the code the merchant is assigned that's the issue. We want to make sure the firearms can't be tracked," Laursen said.

SF 105 would allow the Wyoming Attorney General's office to pursue a civil injunction against any person or entity that attempted to use a merchant's code to track gun purchases in Wyoming.

Amendments to also apply criminal penalties for violations were rejected by the committee.

Unfair To Small Businesses

Cole said that a gun or ammunition specific code can unfairly target small businesses that have guns as their primary or only products for sale.

That's because the code could be attached to the businesses' category, he said. So large chain stores, such as Walmart, might not be pinged for the code, even though they sell firearms.

Businesses that sell firearms and ammunition as their sole or primary products could get pinged with the merchant code, no matter what, Cole said.

"Let's say you went to that firearms dealer and bought a tent. It could be coded as 'firearms,'" he said.

The "firearms" code could be used to pressure financial institutions to withdraw credit from small gun shops, Gun Owners Of America (GOA) spokesman Mark Jones told the Committee.

Already Tracking Gun Owners?

Testifying via Zoom, rural southwest Wyoming resident Laura Pearson said she favors SF 105, because she's worried about the government tracking her and other gun owners.

"I fully believe that the government is trying to track us and the firearms we purchase," she said.

Jones singled out the Biden administration, saying that GOA thinks the administration is already up to no good in that regard.

"Our organization has been very clear in our accusation that the Biden administration is already keeping an illegal gun registry. Congress made that illegal. But if you've bought a gun in the last several years, you're in an illegal registry that's being kept right now," he said.

In general, merchant codes are useful, Bobbie Frank, spokeswoman for the GoWest Credit Union Association of Wyoming, told the committee.

Credit card companies and other financial services can use purchase codes to calculate customers' "rewards" points programs, she said.

However, she said her organization still favors SF 105, because a firearms-specific code is fraught with controversy.

Mark Heinz can be reached at mark@cowboystatedaily.com.

WHAT ARE YOUR
PRIORITIES IN 2024?

TAKE THE SURVEY

PAID FOR BY FRIENDS OF JOHN BARRASSO

IN CASE YOU MISSED IT

Each Wyoming School District Could Get \$10,000 To Store Guns, Train Staff

Mark Heinz • 3 min read



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Leo Wolfson • 6 min read



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Mark Heinz
Outdoors Reporter

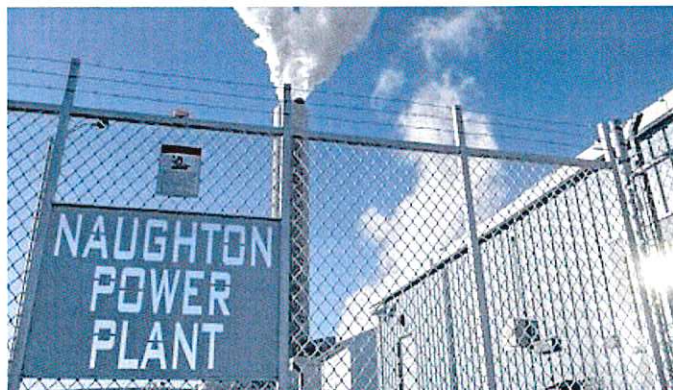
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FALL RIVER COUNTY RESOLUTION #2024-__

**RESOLUTION IN OPPOSITION TO A MERCHANT CODE TO TRACK GUN AND
AMMO SALES IN THE US**

WHEREAS: The second amendment to the United States constitution guarantees the people the right to keep and bear arms.

WHEREAS: In September 2022, the world's three largest payment card networks publicly announced they would assign a unique merchant category code to firearms retailers accepting payment cards for purchases, after twenty-eight members of Congress sent a public letter to networks, pressuring them to adopt the new code. This would enable credit card companies to track, surveil and record lawful activities by customers;

WHEREAS: There is no federal or state law authorizing financial institutions to surveil and track lawful activities by customers in cooperation with law enforcement;

WHEREAS: The creation and maintenance of records of purchase of firearms or ammunition or the tracking of sales made by a retailer of firearms or ammunition by a nongovernmental entity, including a credit card processor, without a substantial and historical business need or a requirement imposed by law, may frustrate the right to keep and bear arms and violate the reasonable privacy rights of lawful purchasers of firearms or ammunition;

THEREFORE BE IT RESOLVED: It is the intent of the Fall River County Commission to strongly encourage the Legislators of South Dakota to prohibit the misuse of payment card processing system to surveil, report or otherwise discourage constitutionally protected firearm and ammunition purchase and sales within this state.

Dated this 7th day of March, 2024.

Joe Falkenburg, Chairman
Fall River County Board of Commissioners

ATTEST:

Sue Ganje, Auditor
Fall River County Auditor

Fall River County VSO 2023 4th Quarter report

1. Assisted VA Hot Springs with PACT ACT conference 13 DEC.
2. Worked issues with Hot Springs VA for many of our veterans.
3. Met with and explained benefits to more than 50 Veterans and/or dependents.
4. Provided State Veterans Home applications to and successfully referred several veterans to residency in State Veterans Home.
5. Filed 162 disability and/or pension claims with the Veterans Benefit Administration.
6. There was a buyout of our claims program, the company has not fixed the monthly Veteran Awards to show the correct information

Total Monthly Veteran Awards for Periods OCT 01 – DEC 31 2023

For month	Number of awards	Total Amount
October, 2023		\$
November, 2023		\$
December, 2023		\$

Total Awards for Past Years

For year	Number of Active Payments	Amount
2021	1381	\$ 18,059,097.43
2022	1325	\$ 20,030,963.43
2023	1216	\$ 20,892,114.63



Auditor Office <aud@frcounty.org>

Commission Mting - March 7th

1 message

Nina Steinmetz <fallriverweed@frcounty.org>
To: Aaron Eberle <auditor.assistant@frcounty.org>

Tue, Feb 27, 2024 at 3:17 PM

Hello,

Can you please schedule the Weed and Pest a time at the commissioners' meeting March 7 - for my report on the State Weed and Pest Conference and general review of 2023 for Weed and Pest.

Thank you,

Nina Steinmetz

Fall River County Weed and Pest Supervisor

709 Jensen HWY, Suite C
Hot Springs, SD 57747

Cell: 605-890-3075
Office: 605-745-5047
fallriverweed@frcounty.org

Spread the Word, NOT the WEEDS!