

FALL RIVER COUNTY UNAPPROVED MINUTES OF MARCH 7, 2024

The Fall River Board of County Commissioners met in regular session on March 7, 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 Allen seconded by Russell, to approve the agenda as written.

Motion made by Russell, seconded by Allen, to approve the meeting minutes from February 15, 2024.

Motion made by Allen, seconded by Russell, to set the Minimum Maintenance Road hearing for the SE area of Fall River County at 9:30 a.m. on March 21, 2024

Motion made by Greenough, seconded by Cope, to set 2024 Property Tax Appeal hearings for the afternoon of April 18, 2024 and, if needed, at 9:00 a.m. on April 19, 2024.

Motion made by Russell, seconded by Allen, to surplus the following items to junk: Hoover Fold away Vacuum, asset tag #1515; computer monitor, asset tag #02093; 3 backup batteries, asset tag #'s 02024, 02025 & 02027; office chairs (black, 2 maroon, blue and silver) asset tag #'s 01959, 1039, 1031, 1306, and 1748.

There were no County Assistance applications.

Lyle Norton, Sheriff, met with the Board. He reported the jail census, 13 males and 4 females for a total of 17 in house with 1 female in Pennington County. Norton reported that there was a good turnout for the Justice Center Townhall Meeting at the Mueller Center. Discussion regarding the proposed Justice Center and meeting occurred at this time.

Frank Maynard, Emergency Manager, met with the Board to provide updates.

Joe Allen, Commissioner, met with the Board to provide his updates on the Justice Center/Jail plans that he has been working on.

The No Maintenance Road Hearing took place as advertised with Randy Seiler, Highway Superintendent, presenting each resolution.

Motion made by Russell, seconded by Cope, to approve Fall River County Resolution #2024-23 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-23

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.

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

ATTEST:

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

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-24 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-24

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.

By roll call, with Greenough and Cope voting no, all others voting yes, moved, passed and adopted this 7th day of March, 2024.

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

ATTEST:

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

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-25 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-25

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 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.

With Greenough and Allen voting no, all others voting yes, moved, passed and adopted this 7th day of March, 2024.

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

ATTEST:

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

Motion made by Greenough, seconded by Allen, to approve Fall River County Resolution #2024-26 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-26

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 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.

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

ATTEST:

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

Motion made by Greenough, seconded by Cope, to approve Fall River County Resolution #2024-27 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-27

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.

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

ATTEST:

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

Motion made by Cope, seconded by Greenough, to approve Fall River County Resolution #2024-28 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-28

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.

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

ATTEST:

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

Motion made by Russell, seconded by Greenough, to approve Fall River County Resolution #2024-29 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-29

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.

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

ATTEST:

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

Motion made by Greenough, seconded by Russell, to approve Fall River County Resolution #2024-30 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-30

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.

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

ATTEST:

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

Motion made by Greenough, seconded by Allen, to approve Fall River County Resolution #2024-31 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-31

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 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.

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

ATTEST:

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

Motion made by Greenough, seconded by Russell, to approve Fall River County Resolution #2024-32 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-32

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.

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

ATTEST:

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

Motion made by Greenough to deny Fall River County Resolution #2024-33 and move it to the Minimum Maintenance Road hearing, motion died due to the lack of a second.

Lora A Waeckerle, Attorney for Calvin and Tracy Romey, spoke in opposition of Fall River County Resolution #2024-33 for her clients.

Motion made by Cope, seconded by Allen, to approve Fall River County Resolution #2024-33 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-33

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.

By roll call, with Greenough voting no, all others voting yes, moved, passed and adopted this 7th day of March, 2024.

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

ATTEST:

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

Motion made by Russell, seconded by Cope to approve Fall River County Resolution #2024-34 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-34

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.

By roll call, with Greenough voting no, all others voting yes, moved, passed and adopted this 7th day of March, 2024.

/S/ Joe Falkenburg
Joe Falkenburg, Chairman

ATTEST:

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

Motion made by Cope, seconded by Russell, to approve Fall River County Resolution #2024-35 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-35

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.

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

ATTEST:

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

Motion made by Russell, seconded by Allen, to approve Fall River County Resolution #2024-36 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-36

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.

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

ATTEST:

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

Motion made by Greenough, seconded by Russell, to approve Fall River County Resolution #2024-37 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-37

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.

/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 Russell, to approve Fall River County Resolution #2024-38 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-38

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.

/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 Russell, to approve Fall River County Resolution #2024-39 as follows:

FALL RIVER COUNTY COMMISSION RESOLUTION #2024-39

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.

With Cope voting no, all others voting yes, moved, passed and adopted this 7th day of March, 2024.

/S/ Joe Falkenburg

Joe Falkenburg, Chairman

Fall River County Commissioners

ATTEST:

/S/ Sue Ganje

Sue Ganje, Auditor

Fall River County

After the No Maintenance Road hearing, Joe Allen, Commissioner, continued with his report. He stated that the large propane tank could be relocated and that the previous springs under the north parking lot were no longer a concern for building purposes.

The hearing for Vacation of Public Right-of-Way in South Shore Yacht Club Estates Subdivision took place as advertised.

Motion made by Allen, seconded by Cope to approve the proposed Vacation. After some public input and discussion, Allen and Cope retracted their motion.

Motion made by Allen, seconded by Russell to move the Vacation of Public Right-of-Way in South Shore Yacht Club Estates Subdivision to the next meeting. Cole J Romey, Attorney for the petitioner, was asked to bring more descriptive maps of the area back to the next meeting for more clarification.

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

| GENERAL FUND | | |
|--------------------------|----------------------|------------|
| ACTION MECHANICAL INC | MAINTENANCE/REPAIR | \$1,945.63 |
| BAUERKEMPERS INC | REPAIR/MAINTENANCE | \$169.13 |
| BLACK HILLS CHEMICAL | 1692/264032 TOWELS & | \$1,349.93 |
| BQ & ASSOCIATES,P.C.,LLO | GARNISHMENT | \$284.13 |
| BILBRUCK, TYLER | BLOOD DRAW | \$375.00 |

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| BLACK HILLS ENERGY | UTILITY POWER ELECTR | \$3,483.63 |
| BOMGAARS | SUPPLY | \$46.97 |
| CENTURY BUSINESS LEASING | COPIER LEASE & USAGE | \$623.14 |
| CENTURY BUSINESS LEASING | COPIER LEASE AND USA | \$850.72 |
| CHADRON MOTOR CO. INC, | REPAIR/MAINTENACE | \$594.86 |
| COLBATH & SPERLICH, PC | JUV | \$1,908.00 |
| CULLIGAN SOFT WATER | RENTAL/SUPPLY | \$447.00 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$2,893.94 |
| EDGEMONT, CITY OF | 2024 BUDGET ALLOTMEN | \$3,000.00 |
| ELEVATUS ARCHITECTURE | JUSTICE STUDY | \$144.00 |
| FALL RIVER HEALTH SERVICE | INMATE MEDICAL | \$7,779.80 |
| FALL RIVER COUNTY HERALD | PUBLICATION | \$50.00 |
| FARMAKES, JASMIN | JURY TRIAL TESTIMONY | \$1,200.00 |
| SCHMIDT, STACY | TRAVEL REIMBURSEMENT | \$60.00 |
| GLASS PRO + | REPAIR | \$388.69 |
| GOLDEN WEST TECHNOLOGIES | IT SUPPORT/CONTRACT | \$6,841.37 |
| GOLDEN WEST | PHONE BILL/INTERNET/ | \$3,244.59 |
| GOLDEN WEST | PHONE BILL/ INTERNET | \$3,225.78 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$630.00 |
| HOLIDAY INN | ACCOMMODATIONS | \$367.96 |
| HOPE COUNSELING CENTER | QMHP/MI | \$300.00 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$134.59 |
| CITY OF HOT SPRINGS | CITY WATER BILL | \$639.68 |
| CITY OF HOT SPRINGS | 2ND QTR FIRE SPRINKL | \$24.00 |
| HUSTEAD LAW OFFICE, P.C. | CAAF/MI | \$2,990.32 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$30,719.50 |
| JUENGER LAW FIRM LLC | CAAF | \$1,648.20 |
| KULM, ARICA | MILEAGE REIMBURSEMEN | \$403.92 |
| LIGHTING MAINTENANCE CO. | SUPPLY | \$63.00 |
| LYNN'S DAK. MART PHARMACY | INMATE PHARMACY | \$43.11 |
| MARCO | COPIER LEASE S.ANNEX | \$163.14 |
| MARTY'S TIRE & AUTO BODY | SERVICE | \$170.00 |
| MASTEL, BRUCE | DATABASE SETUP & MON | \$35.00 |
| MAVERICK TIRE & AUTO | REPAIR/MAINTENACE | \$3,177.61 |
| MCLEODS OFFICE SUPPLY CO. | SUPPLIES | \$149.90 |
| MICROFILM IMAGING SYSTEMS | SCANNING EQUIP LEASE | \$140.00 |
| QUADIENT FINANCE USA, INC | POSTAGE | \$1,115.75 |
| NICHOLAS TOWING | SERVICE | \$175.00 |
| NORTON,TINA | CONTRACT NURSE INMAT | \$1,325.00 |
| O'NEILL, JUSTIN | CAAF | \$1,877.04 |
| ONSITE FIRST AID, LLC | FIRST AID SUPPLIES | \$53.63 |
| QUALIFIED PRESORT SERVICE | MAILING | \$4,320.44 |
| RAMKOTA HOTEL-PIERRE | HOTEL | \$114.00 |
| SDACC | CATASTROPHIC LEGAL 1 | \$584.00 |
| SD DEPARTMENT OF HEALTH | BLOOD DRAW ANALYSIS | \$2,075.00 |

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| SD DEPT OF REVENUE | AUTO/MI STATE REMITT | \$216.40 |
| SDSU EXTENSION | 4-H ADVISOR SALARY | \$42,000.00 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$26,025.54 |
| SERVALL | RUG SERVICE | \$426.22 |
| OGLALA LAKOTA COUNTY | CREDITS/OVERPAYMENTS | \$13.86 |
| SKINNER, MATTHEW L. PC | CAAF/MAG | \$5,831.05 |
| SOFTWARE SERVICES INC | SOFTWARE SERVICES | \$2,800.00 |
| SOUTHERN HILLS LAW PLLC | CAAF | \$7,889.23 |
| SD DEPT OF PUBLIC SAFETY | 1ST HALF TELETYPE SE | \$3,340.00 |
| STEVENS AUTOMOTIVE | SERVICE | \$126.08 |
| STEVENS AUTOMOTIVE | SERVICE | \$88.89 |
| STEVENS, MIKAYLA | BLOOD DRAW | \$375.00 |
| VANGUARD APPRAISALS INC | SERVICE | \$87.50 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$844.11 |
| THOMSON REUTERS | SUBSCRIPTION | \$155.40 |
| FEES, IRMA | BLOOD DRAW | \$75.00 |
| MILES, SASHA | BLOOD DRAW | \$75.00 |
| TWO BEAR, JOSEPH PATRICK | SERVICE | \$273.74 |
| COMMISSIONERS | FEBRUARY SALARIES | \$4,350.00 |
| AUDITOR'S OFFICE | FEBRUARY SALARIES | \$21,156.66 |
| TREASURER'S OFFICE | FEBRUARY SALARIES | \$19,691.58 |
| STATE'S ATTORNEY'S OFFICE | FEBRUARY SALARIES | \$17,319.54 |
| MAINTENANCE DEPARTMENT | FEBRUARY SALARIES | \$11,758.46 |
| DOE OFFICE | FEBRUARY SALARIES | \$18,743.76 |
| REGISTER OF DEEDS OFFICE | FEBRUARY SALARIES | \$13,254.96 |
| VET SERVICE OFFICE | FEBRUARY SALARIES | \$4,626.70 |
| GIS DEPARTMENT | FEBRUARY SALARIES | \$4,623.49 |
| NURSE | FEBRUARY SALARIES | \$2,744.97 |
| EXTENSION | FEBRUARY SALARIES | \$2,816.00 |
| WEED & PEST | FEBRUARY SALARIES | \$4,870.66 |
| SHERIFF DEPARTMENT | FEBRUARY SALARIES | \$53,842.31 |
| JAIL | FEBRUARY SALARIES | \$35,367.85 |
| CORONER | FEBRUARY SALARIES | \$350.00 |
| | TOTAL FOR GENERAL FUND | \$400,506.06 |
| COUNTY ROAD & BRIDGE | | |
| A & B WELDING SUPPLY CO. | WELDING SUPPLIES/LEA | \$37.51 |
| ADVANCED DRUG TESTING | RANDOM EMPLOYEE DRUG | \$31.20 |
| BLACK HILLS ELECTRIC | UTILITIES SMITHWICK | \$96.62 |
| BLACK HILLS ENERGY | UTILITY POWER ELECTR | \$956.70 |
| BOMGAARS | SUPPLY | \$366.02 |
| BUTLER MACHINERY CO. | SUPPLIES/REPAIRS | \$3,010.09 |
| CITY OF EDGEMONT | CITY OF EDGEMONT WAT | \$87.40 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$579.70 |
| FLOYD'S TRUCK CENTER | REPAIRS/PARTS | \$5,824.47 |
| EDGEMONT, CITY OF | HWY DEPT WATER | \$87.40 |

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| FALL RIVER AUTO SUPPLY | AUTO PARTS/REPAIR | \$170.25 |
| FALL RIVER HEALTH | URINE DRUG SCREEN CO | \$159.00 |
| FORWARD DISTRIBUTING | SUPPLIES/PARTS | \$22.95 |
| GOLDEN WEST TECHNOLOGIES | IT SUPPORT/CONTRACT | \$8.25 |
| GOLDEN WEST | PHONE BILL/INTERNET/ | \$301.16 |
| GRIMM'S PUMP SERVICE INC | PART | \$64.71 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$150.00 |
| HOT SPRINGS ACE HARDWARE | SUPPLY | \$76.92 |
| CITY OF HOT SPRINGS | CITY WATER BILL | \$25.51 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$6,224.00 |
| MG OIL | INVENTORY/SUPPLY | \$2,830.30 |
| MCDANIEL | REPAIR/MAINTENANCE | \$4,360.73 |
| NELSONS OIL & GAS INC. | FUEL | \$22,244.65 |
| ONSITE FIRST AID, LLC | FIRST AID SUPPLIES | \$601.15 |
| POMP'S TIRE SERVICE INC. | PARTS | \$4,205.96 |
| RELIANCE STANDARD LIFE | VISION PLAN | \$177.44 |
| RAPID DELIVERY | DELIVERY | \$75.40 |
| SAFETY-KLEEN SYSTEMS, INC | PARTS WASHER LEASE | \$151.47 |
| SD DEPT OF TRANSPORTATION | STATE COST SHARE ROA | \$413.02 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$6,134.70 |
| SEILER, RANDY | CELLPHONE REIMBURSEM | \$75.00 |
| STURDEVANT'S AUTO VALUE | PARTS/SUPPLY | \$69.91 |
| TEAM LABORATORY CHEMICAL | SUPPLY | \$1,039.00 |
| CRBR ADMIN | FEBRUARY SALARIES | \$10,012.22 |
| CRBR ADM | FEBRUARY SALARIES | \$41,110.53 |
| | TOTAL FOR COUNTY ROAD & BRIDGE | \$111,781.34 |
| 911 SURCHARGE REIMBURSEMENT | | |
| CENTURY BUSINESS LEASING | COPIER LEASE AND USA | \$98.15 |
| CREDIT COLLECTION BUREAU | COLLECTIONS | \$302.86 |
| DELTA DENTAL PLAN OF SD | DELTA DENTAL | \$372.44 |
| GOLDEN WEST | PHONE BILL/INTERNET/ | \$678.98 |
| HEAVY HIGHWAY FRINGE | INSURANCE FEES | \$75.00 |
| IOWA LABORERS DISTRICT | HEALTH INSURANCE | \$2,661.00 |
| LIUNA LABORERS LOCAL 620 | UNION DUES | \$54.00 |
| RELIANCE STANDARD LIFE | VISION PLAN | \$22.44 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$3,277.88 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$41.93 |
| DISPATCH | FEBRUARY SALARIES | \$27,315.64 |
| | TOTAL FOR 911 SURCHARGE REIMBURSEMENT | \$34,900.32 |
| EMERGENCY MANAGEMENT | | |
| BAUERKEMPERS INC | REPAIR/MAINTENANCE | \$238.22 |
| GOLDEN WEST TECHNOLOGIES | IT SUPPORT/CONTRACT | \$16.50 |
| GOLDEN WEST | PHONE BILL/INTERNET/ | \$271.59 |

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| MARCO | COPIER LEASE S.ANNEX | \$81.56 |
| NASASP | 2024 ASSOCIATION DUE | \$39.00 |
| QUADIENT FINANCE USA, INC | POSTAGE | \$0.63 |
| SD RETIREMENT SYSTEM | SDRS CONTRIBUTION | \$922.42 |
| VERIZON WIRELESS | CELL PHONE PLAN | \$125.79 |
| EMERGENCY MANAGEMENT | FEBRUARY SALARIES | \$7,686.89 |
| | TOTAL FOR EMERGENCY MANAGEMENT | \$9,382.60 |
| DOMESTIC ABUSE FUND | | |
| W.E.A.V.E. | 2024 BUDGET ALLOTMEN | \$7,000.00 |
| | TOTAL FOR DOMESTIC ABUSE FUND | \$7,000.00 |
| 24/7 SOBRIETY FUND | | |
| SD DEPARTMENT OF HEALTH | BLOOD DRAW ANALYSIS | \$50.00 |
| | TOTAL FOR 24/7 SOBRIETY FUND | \$50.00 |
| | TOTAL FOR BILLS PD BETWEEN 02-16 & 03-08-2024 | \$563,620.32 |

Break was taken at 10:20 a.m. The meeting resumed at 10:28 a.m.

Randy Seiler, Hwy Superintendent, met with the Board. An update was given that they are still graveling roads.

Motion made by Russell, seconded by Allen, to approve the Approach Permit for Omar McClure, located approximately 3.1 miles from Hwy 385 on Argyle Road.

The Board presented Seiler with a plaque, thanking him for his nearly 24 years of service with Fall River County.

Public comment was heard. Paul Nabholz, County resident, had presented the Board a cost analysis that he had prepared and asked if there were any questions on it. He then presented a letter of opposition to building a Justice Center from another County resident. Kim Allen, County resident, informed the Board that she, as well as others, are circulating petitions to repeal Medical Marijuana in South Dakota. She also reported about some Legislative activities in South Dakota and talked regarding elections. Tammy McKenzie, County resident, reiterated what Kim Allen had reported. Rachel Hosterman, Sheriff's Office Manager, spoke regarding the different opinions expressed about the proposed Jail/Justice Center. She suggests that all parties need to remain civil and work together. Pat Baumann, Custer County resident, then spoke in agreement with Kim Allen and Tammy McKenzie regarding election integrity. Lance Russell, State's Attorney, reminded and thanked the Board for being judicious. He also reported that BNSF employees are concerned that there may be 30-40% lay-off happening April 1, 2024. Amber Hulse, County resident thanked the Board for voting to hand count ballots in the Primary Election. Tom Conger, County resident, spoke in agreement of appointing a board or committee and staying well within the open meetings laws to protect the County.

Jeff Janis, Surveyor for Longbranch Civil Engineering, Inc. met with the Board to present 2 plats.

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

FALL RIVER COUNTY RESOLUTION #2024-40

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.

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

ATTEST:

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

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

FALL RIVER COUNTY RESOLUTION #2024-41

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.

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

ATTEST:

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

The Commissioners discussed the vacancy on Provo Area Water System Board. They asked Sue Ganje, Auditor, to work with the existing Board to bring a nomination forward at the next Commissioner meeting. The Board also wanted to clarify that, in compliance with the Help America Vote Act, the County will be using Express Vote machines at each polling location to provide a voting device equipped to allow voters with disabilities the means to vote independently and privately.

Joe Falkenburg, Commissioner, presented a resolution.

Motion made by Allen, seconded by Cope, to approve and authorize the Chairman to sign the following resolution:

FALL RIVER COUNTY RESOLUTION #2024-42

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.

/S/ Joe Falkenburg

Joe Falkenburg, Chairman

Fall River County Board of Commissioners

ATTEST:

/S/ Sue Ganje

Sue Ganje, Auditor

Fall River County Auditor

Dan Cullen, Veteran Service Officer, met with the Board to present the 2023 4th Quarter/End of the

Year Report.

Nina Steinmetz, Weed and Pest Supervisor, met with the Board to present a report on the State Weed and Pest Conference in Spearfish and to present a general review of 2023 Weed and Pest Department's activities.

Motion made by Russell, seconded by Greenough, to enter into executive session at 11:30 a.m. as per SDCL 1-25-2 (1) personnel, (3) legal.

The Board was declared out of executive session at 11:37 a.m. The board then took a break for lunch.

The meeting resumed at 1:25 p.m. Motion by Russell, seconded by Cope to enter into executive for personnel. The board came out of executive session at 1:53 p.m.

Commission Chairman Falkenburg declared the meeting adjourned at 1:55 p.m.

/s/ Joe Falkenburg

Joe Falkenburg, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje, Auditor

Sue Ganje, Auditor

Fall River County