

**OGLALA LAKOTA COUNTY UNAPPROVED MINUTES OF JULY 21, 2021**

The Oglala Lakota Board of County Commissioners met in regular session on July 21, 2021. Present: Ramon Bear Runner (via phone), Anna Takes the Shield (DuBray) (via phone), Eugenio White Hawk and Sue Ganje, Auditor. Art Hopkins and Wendell Yellow Bull were not present.

The Pledge of Allegiance was given, and meeting was called to order at 1:45 p.m. by Chairwoman Takes the Shield (DuBray). The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY ROLL CALL AND UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by White Hawk, seconded by Bear Runner, to approve the agenda as written.

Motion made by Bear Runner, seconded by White Hawk, to approve the June 16, 2021 minutes.

Stacey Martin, GIS, met with board to present her 2022 budget.

Lynx Bettelyoun met with the board and presented fuel quotes as follows:

|                | 450 Gal Gasoline | 450 Gal Gasoline 10% | 1,600 Gal Ruby Diesel |
|----------------|------------------|----------------------|-----------------------|
| Westco         | \$2.865/gallon   | No Bid               | \$2.74/gallon         |
| Kadoka Oil     | \$2.986/gallon   | No Bid               | \$2.72/gallon         |
| Pine Ridge Oil | \$3.859/gallon   | No Bid               | \$3.229/gallon        |

Motion made by White Hawk, seconded by Bear Runner, to approve the combined bid from Westco for 450 gallons of unleaded gasoline at \$2.865 per gallon, for a total of \$1,289.25 and 1,600 gallons of #2 ruby diesel, at \$2.74 per gallon, for a total of \$4,384.00.

Motion made by White Hawk, seconded by Bear Runner, to approve the May 26, 2021 through June 22, 2021 sheriff fuel transfer to reimburse the highway for 256.3 gallons of fuel at \$2.856 per gallon, for a total of \$731.99.

Discussion was held on the 4.5 miles of BIA road #17 R-O-W that Bettelyoun hopes to acquire as a county road to better the maintenance for area residents, and as his trucks utilize the road. The BIA director is not on board with this due to an annual loss of revenue. Takes the Shield (DuBray) advised that the board will back him and advised that the proper procedure would be to meet with the land committee.

Bettelyoun gave updates to the board: Lee Trucking, LLC has completed their project and did a great job. The Highway Department has been preparing for the road project on County Road 7, installing 7 culverts. They did maintenance on County Roads 2, 4, 16 and 7, and hauled 360 tons of gravel to County Road 2, 420 tons of gravel to County Road 9 and they have been reshaping County Road 7. Bettelyoun also noted repairs on equipment.

Bear Runner questioned Bettelyoun on doing a private road contract for the parking lot at the Cohen Nursing Home. A private road agreement could be initiated to grade and gravel the parking lot if the gravel is supplied.

Teresa Pullen, Treasurer, met with the board, to present her 2022 budget. Pullen also advised that the trust account cleanup has been completed, and that there are approximately \$300,000.00 in back taxes owed to the county and school. Discussion was also held on moving forward with a tax deed sale, with questions for the State's Attorney.

The Hearing for those Fire Departments certified in 2020 by the State Fire Marshall to determine areas of primary response was held as advertised. Will Smith, Batesland Fire Department, and Francis Big Crow, Kyle Fire Department, were present. As all departments were not able to attend, a map will be sent to the other certified departments for them to mark their service areas and to provide their logs of fires each department attended. This will be re-scheduled for the meeting in August.

Jerlene Arredondo, Veteran's Service Officer, met with the board to present her 2022 budget. Discussion was held on the new monthly activity report and of incorporating a quarterly report to show a recap of monetary awards to veterans. Arredondo advised of a new Veteran's Service Officer Facebook page and of changes in the office that may occur while the tribal VSO has an internship in Washington, DC.

Motion made by Bear Runner, seconded by White Hawk, to approve the VSO monthly report and place on file.

Melody Engebretson, Register of Deeds, met with the board, to present her 2022 budget. Discussion was also held on the purchase of Trimin Software. Motion made by White Hawk, seconded by Bear Runner, to approve the contract with Trimin, contingent on state's attorney approval, and based on the percentage of Oglala Lakota County work being performed. Engebretson will give a follow-up on final cost to the county.

Sue Ganje, Auditor, met with the board and presented her 2022 budgets.

Motion made by Bear Runner, seconded by White Hawk, to approve the procurement policy as follows:

### **Oglala Lakota County Procurement Policy**

The requirements for procurement are commonly contained in the Federal Uniform Guidance, program legislation, Federal awarding agency regulations, State bid laws and/or the terms and conditions of the award. To ensure compliance with these requirements, **Oglala Lakota County**, hereinafter referred to as the **County**, will adhere to the following policies and procedures when utilizing public funds:

1. Purchasing and procurement related to Federal funds will be subject to the general policies and procedures of South Dakota Bid Law (SDBL), unless federal requirements are more restrictive, then federal requirements and bidding thresholds will take precedence. (SDCL 5-18A-14 and CFR 200.318 (a)).
2. Pursuant to SDCL5-18A-14 there are currently two bid limits to consider when governmental entities enter into purchase contracts. If the purchasing agency intends to enter into a contract for any public improvement that involves the expenditure of fifty thousand (50,000) dollars or more, or a contract for the purchase of supplies or services, other than professional services, that involves the expenditure of twenty-five thousand (25,000) dollars or more, the purchasing agency shall advertise for bids or proposals.
3. **The County** will maintain oversight to ensure that contractors perform in accordance with the terms, conditions and specifications of contracts or purchase orders (CFR 200.318(b))
4. Conflict of interest requirements will be followed by the **County** and potential contractors as per CFR 200.318 and SDBL.
5. All procurements of supplies and materials by the **County** will follow the requirements of CFR 200.318, CFR 200.320, SDCL 5-18A, SDCL 5-18B and SDBL and contractors are required to comply with all items listed for procurement by these laws and procedures.
6. Competitive Proposals for professional services will be solicited on a case by case basis and specifications for the proposals will be developed for each solicitation with technical requirements included for the service.

On the 21<sup>st</sup> day of July 2021, Oglala Lakota County, County of Oglala Lakota, State of South Dakota adopts the Procurement Policy detailed herein.

Dated this 21<sup>st</sup> day of July 2021.

/s/Anna Takes the Shield (DuBray)  
Oglala Lakota County Board of Commissioners

ATTEST:  
/s/Sue Ganje, Oglala Lakota County Auditor

Discussion was held on the Yankton bill, and determining what the county owes for non-tribal members. Ganje also noted PILT monies that were received for 2021, software upgrades that will be starting in 2022 and gave a tax and 2022 budget timeline.

Lance Russell, State's Attorney and Lynn Two Bear, Legal Assistant, met with the board to discuss the phone calls that they have been making regarding the Housing Authority and who would be the correct person to call. Discussion was held on grants for housing and Section 8 vouchers. More follow-up will be held at the next meeting.

Discussion was held on jurisdiction on deeded land and cattle issues that the Federal Court has turned over to the Tribe. The county has no jurisdiction over matters that involve tribal members. If land is taken out of trust and becomes deeded land, it needs to be fenced.

Motion made by White Hawk, seconded by Bear Runner, to approve the bills, as follows:

**GENERAL FUND**

|                           |  |              |
|---------------------------|--|--------------|
| AT&T MOBILITY             | WIRELESS PHONE SHERIFF                 | \$54.12      |
| AT&T TELECONFERENCE       | CONFERENCE CALLS                       | \$64.15      |
| ARROWWOOD RESORT          | HOTEL VANGUARD CONFERENCE              | \$211.90     |
| BEAM INSURANCE ADMIN. LLC | DENTAL/VISION PLANS                    | \$250.28     |
| CENTURY BUSINESS          | COPIER LEASE/METER                     | \$175.89     |
| DENISON, FRANCES          | TRAVEL REIMBURSEMENT                   | \$66.00      |
| EFTPS                     | EFTPS PAYROLL TAXES                    | \$1,565.90   |
| FALL RIVER CO. SHERIFF    | INMATE HOUSING                         | \$935.00     |
| FALL RIVER CO. TREASURER  | REIMBURSEMENT                          | \$93,470.20  |
| GOLDEN WEST               | LOCAL PHONE/EMAIL/LONG DISTANCE        | \$335.96     |
| MARTINEZ, AUDREY          | CORONER MILEAGE                        | \$69.30      |
| MASTEL, BRUCE             | WEB HOST/UPDATE/SERVER                 | \$35.00      |
| MASTERCARD                | COUNTY CREDIT CARD                     | \$255.37     |
| MICROFILM IMAGING SYSTEMS | SCANNING EQUIPMENT LEASE               | \$17.50      |
| QUADIENT FINANCE USA, INC | POSTAGE                                | \$305.99     |
| OGLALA SIOUX TRIBE        | MONTH RENT FOR VETERAN SERVICE OFFICER | \$100.00     |
| PENNINGTON COUNTY JAIL    | INMATE HOUSING                         | \$850.00     |
| QUILL CORPORATION         | SUPPLIES                               | \$282.76     |
| RELIANCE STANDARD         | LIFE INSURANCE                         | \$59.00      |
| SECRETARY OF STATE        | PISTOL PERMITS                         | \$58.00      |
| SD STATE RETIREMENT       | SDRS CONTRIBUTIONS                     | \$701.68     |
| WHITE HAWK, EUGENIO       | MILEAGE                                | \$172.20     |
| GOINGS, WHITNEY           | PISTOL PERMIT REFUND                   | \$10.00      |
| TWO CROW, JEREMY          | PISTOL PERMIT REFUND                   | \$10.00      |
| COMMISSION                | JUNE SALARIES                          | \$1,525.00   |
| STATE'S ATTORNEY'S OFFICE | JUNE SALARIES                          | \$500.00     |
| VETERAN'S SERVICE OFFICE  | JUNE SALARIES                          | \$1,291.67   |
| SHERIFF                   | JUNE SALARIES                          | \$4,010.56   |
| CORONER                   | JUNE SALARIES                          | \$500.00     |
|                           | TOTAL FOR GENERAL FUND                 | \$107,883.43 |

**COUNTY ROAD & BRIDGE**

|                           |                          |             |
|---------------------------|--------------------------|-------------|
| AT&T MOBILITY             | WIRELESS PHONE SHERIFF   | \$25.82     |
| BEAM INSURANCE ADMIN. LLC | DENTAL/VISION PLANS      | \$760.04    |
| BIG STATE IND SUPPLY INC. | SUPPLIES                 | \$162.39    |
| BLUE CROSS/BLUE SHIELD    | HEALTH INSURANCE PREMIUM | \$3,753.96  |
| LEE RANCH TRUCKING LLC    | GRAVEL TRUCKING          | \$20,227.50 |
| BUSH, KAREN               | TRAVEL REIMBURSEMENT     | \$278.68    |
| BUTLER MACHINERY CO.      | EQUIPMENT/REPAIR         | \$532.57    |
| CULLIGAN                  | UTILITY                  | \$54.00     |
| DIESEL MACHINERY, INC.    | PARTS                    | \$2,176.05  |
| EFTPS                     | EFTPS PAYROLL TAXES      | \$3,777.38  |
| BUCHER HARDWARE & LUMBER  | SUPPLIES                 | \$225.94    |

|                            |  |              |
|----------------------------|--|--------------|
| GREAT PLAINS COMMUNICATION | LOCAL PHONE & INTERNET                 | \$367.86     |
| JOHN DEERE FINANCIAL       | BOMGAARS CHARGES/SUPPLY                | \$607.73     |
| LACREEK ELECTRIC ASSOC     | UTILITY/ELECTRIC                       | \$206.47     |
| W.D. LARSON COMPANIES      | PARTS                                  | \$505.76     |
| MARTIN AUTO PARTS          | PARTS/SUPPLY                           | \$562.39     |
| MASTERCARD                 | COUNTY CREDIT CARD                     | \$872.46     |
| MCI COMM SERVICE           | LONG DISTANCE                          | \$53.98      |
| MENARD'S                   | SUPPLIES                               | \$49.91      |
| MODERN FARM EQUIPMENT CO.  | 2020 TRACTOR RENTAL                    | \$3,600.00   |
| REED REPAIR, LLC           | REPAIR                                 | \$4,838.19   |
| RELIANCE STANDARD          | LIFE INSURANCE                         | \$131.50     |
| SD STATE RETIREMENT        | SDRS CONTRIBUTIONS                     | \$1768.16    |
| SUMMIT COMPANIES           | ANNUAL INSPECTION                      | \$251.00     |
| WESTCO                     | FUEL/UTILITIES                         | \$5,687.65   |
| BUSH, ANGELA               | TRAVEL REIMBURSEMENT                   | \$271.54     |
| HIGHWAY DEPARTMENT         | JUNE SALARIES                          | \$16,277.71  |
| HIGHWAY DEPARTMENT         | OVERTIME                               | \$473.55     |
|                            | TOTAL FOR COUNTY ROAD & BRIDGE         | \$68,500.19  |
| <b>M &amp; P RELIEF</b>    |  |              |
| MICROFILM IMAGING SYSTEMS  | SCANNING EQUIPMENT LEASE               | \$165.00     |
|                            | TOTAL FOR M & P RELIEF                 | \$165.00     |
|                            | TOTAL PAID BETWEEN 6/17/21 AND 7/21/21 | \$176,548.62 |

No public comment was given. Motion made by Bear Runner, seconded by White Hawk, to adjourn at 3:50 p.m.

/s/Anna Takes the Shield (DuBray)  
Anna Takes the Shield (DuBray)  
Board of Oglala Lakota County Commissioners

ATTEST:  
/s/ Sue Ganje  
Sue Ganje, Oglala Lakota County Auditor


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

TO THE HONORABLE BOARD OF OGLALA LAKOTA COUNTY COMMISSIONERS:  
I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 30th day of June 2021.

|  |            |                              |
|--|------------|------------------------------|
| <b>Total Amount of Deposit in First Interstate Bank, HS:</b>   | \$         | 1,539,892.33                 |
| <b>Total Amount of Cash:</b>   | \$         | 1,327.60                     |
| <b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>                                  | \$         | 2,420.12                     |
| <b>MONEY MARKET SAVINGS:</b>   |            |                              |
| First Interstate, HS:  | \$         | 2,724,425.03                 |
| <b>CERTIFICATES OF DEPOSIT:</b>  |            |                              |
| First Interstate, HS:  | \$         | 201,954.01                   |
| Black Hills Federal Credit Union, HS:  | \$         | 50,000.00                    |
| <b>Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:</b> |            |                              |
| Sheriff Change Fund:   | \$         | 200.00                       |
| Election Petty Cash:   | \$         | 15.00                        |
| <b>RETURNED CHECKS:</b>  |            |                              |
| Titus, Casey   | 10/26/2020 | \$ 75.00                     |
|  |            | <b>TOTAL \$ 4,520,309.09</b> |

Dated This 30th Day of June 2021.

  
\_\_\_\_\_  
Sue Ganje, County Auditor of Oglala Lakota County

  
\_\_\_\_\_  
Teresa Pullen, County Treasurer of Oglala Lakota County

|                         |           |                     |
|-------------------------|-----------|---------------------|
| County Monies           | \$        | 4,335,331.47        |
| Held for other Entities | \$        | 138,965.10          |
| Held in Trust           | \$        | 46,012.52           |
| <b>TOTAL</b>            | <b>\$</b> | <b>4,520,309.09</b> |

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



Auditor Office <aud@frcounty.org>

---

**advance travel pay**

1 message

---

**olvso@goldenwest.net** <olvso@goldenwest.net>

Wed, Aug 4, 2021 at 2:40 PM

To: Payroll <payroll@frcounty.org>

Good afternoon! I am requesting advance travel pay for the Annual benefit school coming up. Thank you!

# 2021 SD COUNTIES 2nd ANNUAL GOLF SCRAMBLE

## DATE/TIME

Sunday, September 12  
Registration begins at 12:00 noon MDT  
Tee off at 2:00 p.m. MDT

## LOCATION

Meadowbrook Golf Course  
3625 Jackson Blvd • Rapid City, SD  
<https://www.golfatmeadowbrook.com/>



## FORMAT

Competition will be 9 holes, 4 person scramble, shotgun start. Limited to 72 players.  
*\*Teams will be drawn by the greatest tournament administrators\**

## ELIGIBILITY

Any individual attending the SD County Convention and their guests.

## FEES

\$40/person (includes green fee and cart). To avoid delays, everyone will be required to ride carts.

**Novice and Advanced Players Welcome! Prizes will be Awarded!**

---

## 2021 SD Counties Golf Scramble Registration Form

County/Organization: \_\_\_\_\_

Contact Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

Name : \_\_\_\_\_ 9-Hole handicap/avg \_\_\_\_\_ 9-Hole Score \_\_\_\_\_

Name : \_\_\_\_\_ 9-Hole handicap/avg \_\_\_\_\_ 9-Hole Score \_\_\_\_\_

Name : \_\_\_\_\_ 9-Hole handicap/avg \_\_\_\_\_ 9-Hole Score \_\_\_\_\_

Name : \_\_\_\_\_ 9-Hole handicap/avg \_\_\_\_\_ 9-Hole Score \_\_\_\_\_

Return by September 3, 2021 to:

South Dakota Counties  
211 E Prospect Ave • Pierre, SD 57501

The **\$40/person** fee must be included with the registration form. *\*Only Checks or Cash will be accepted.\**

SD COUNTIES OFFICE USE ONLY: DATE: \_\_\_\_\_ CHECK #: \_\_\_\_\_



# 2021 County Convention Registration

September 13 - 14, 2021

RAPID CITY RAMKOTA HOTEL



**Pre-Registration Fee is \$185.00 per person**  
if you are paid by **August 27, 2021.**

This fee includes all program materials,  
breaks, and meals.

**Registration after August 27 will be \$225.00.**

**QUESTIONS: Call 1-605-224-4554**

**Cancellation Policy:** Full refund if canceled by August 27, 2021  
**NO REFUND** after August 27.

Return this form with payment by **August 27** to:  
**SD Association of County Commissioners (SDACC)**  
**211 E Prospect Ave**  
**Pierre SD 57501**

County / Company: \_\_\_\_\_

Name

Title

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

Spouse/Guest Registration

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Spouse/Guest Registration

**Meals \$50.00** (Includes Spouse Events,  
Opening Luncheon, Tuesday Breakfast, Tuesday  
Lunch)

\*\*\*Area Motels\*\*\* BLOCK NAME – “SD Counties”

BLOCKS RELEASE AUGUST 13, 2021

**Rooms are available at the following hotels:**

AmericInn – 605-343-8434 - \$69.00/Sunday, \$79.00/Monday CODE-CGSDCC

Country Inn & Suites – 605-394-0017 - \$99.00

TRU by Hilton – 605-863-9844 - \$84.00

**Casual/theme attire is a MUST!**

**2021 SD Counties Convention TENTATIVE Timeline**  
**September 12-14, 2021 – Rapid City Ramkota Hotel**

**Sunday, September 12, 2021**

2:00 pm                    **2<sup>nd</sup> ANNUAL GOLF TOURNAMENT**  
Meadowbrook Golf Course (tentative)

**Monday, September 13, 2021**

7:00 am – 10:00 am    **VENDOR SET UP**  
Exhibit Hall

8:00 am – 5:00 pm    **REGISTRATION DESK OPEN**  
Grand Rushmore Hall

8:00 am – 9:00 am    **SDACC EXECUTIVE BOARD / RESOLUTION MEETING**  
Room  
U-Shape – 22

8:30 am – 9:30 am    **SDACO EXECUTIVE BOARD MEETING**  
Room  
U-Shape - 22

8:30 am – 9:45 am    **SDACHS EXECUTIVE BOARD MEETING**  
Room - Serve Breakfast  
U-Shape - 14

**COMMISSION ASSISTANTS/ HR ROUNDTABLE**  
Room

8:30 am – 9:45 am    **SDACWO EXECUTIVE BOARD MEETING**  
Room  
Theatre - 30

9:00 am – 9:45 am    **SDACO RESOLUTION COMMITTEE**  
Room  
Classroom - 45  
Speaker Podium  
A/V table

**SDACC NOMINATING COMMITTEE**  
Room

**SDACO CONTINUING EDUCATION COMMITTEE**  
Room  
Classroom – 45  
Speaker Podium  
A/V table

10:00 am                **VENDOR FAIR • OPEN**  
Exhibit Hall & Annex

10:00 – 10:45 am    **MEDIA PROTOCOL (C,A,T)**  
Room  
*Senator Helene Duhamel, Pennington County PIO*

**VITAL RECORDS**  
Room  
*Shawna Flax, Deputy Registrar*

**SDACHS OPEN BUSINESS MEETING**  
Room

10:00 – 11:45 am    **VETERANS BENEFITS 101**  
Room  
*Michele Anderson, VA Survivor's Outreach Services*

*Will Huffmon, State VSO Field Officer*

11:00 – 11:45 am **KEYNOTE** - Jim Olson

12:00 – 1:00 pm **OPENING SESSION • LUNCHEON**

Exhibit Hall  
Rounds - 400

- National Anthem and Pledge of Allegiance
- Welcome by Association Presidents  
SDACC President – Deb Russell, Fall River County  
SDACO President – Susan Kiepke, Davison County  
SDACHS President – Brian Gustad, Brookings County  
SDACWO President – Debbie Emme, Davison County
- Recognition of Past Presidents
- Memorial – moment of silence in respect

1:15 – 2:00 pm **PARLIAMENTARY PROCEDURE (C,A)**

Room  
*Mike Bartley, Parliamentarian*

**ITS ALL ABOUT THE SCAMS! WILL IT EVER END?**

Room  
*Jody Gillespie, Attorney Generals office, Division of Consumer Protection*

**RURAL ACCESS INFRASTRUCTURE INVENTORY TRAINING**

Room  
*Greg Vavra, Program Manager*  
*Andrew Peterson, Field Service Manager*

**SDACWO LEGISLATIVE DISCUSSION**

Room  
*SDACWO Board of Directors*

2:15 – 3:00 pm **PARLIAMENTARY PROCEDURE (C,A)**

Room  
*Mike Bartley, Parliamentarian*

**TREASURER PRESENTATION**

Room  
*Wendy Semmler, SD Dept of Revenue*

**PLATS - tentative**

Room  
*Sandra Frasier-Shaffer, Bon Homme County Register of Deeds*

**LOCAL FEDERAL BRIDGE REPLACEMENT & REMOVAL PROGRAMS**

Room  
*Tammy Williams, SD DOT*  
*Doug Kinniburgh, SD DOT LGA*

**ONE HEART MISSION**

Room  
*Charity Doyle*

3:00 – 3:30 pm **VENDOR FAIR • BREAK**

Exhibit Area

3:45 – 4:30 pm **FUTURE WATER ASSESSMENT NEEDS**

Room  
*Cheryl Chapman, PhD, PE Banner & Assoc.*

**LEVIES (A)**

Room  
*Wendy Semmler, SD Dept of Revenue*

**TREASURERS ROUNDTABLE DISCUSSION**

Room

**E-RECORDING - tentative**

Room

**STEEL BRIDGE SOLUTIONS**

Room

Dan Snyder,

3:45 – 5:00 pm

**MENTAL HEALTH STATUTES**

Room

*Michael Moore, Beadle County States Attorney*

4:45 – 5:30 pm

**SDACO 1<sup>st</sup> GENERAL MEMBERSHIP MEETING**

Room

**SDACWO BUSINESS MEETING**

Room

**SDACC CAUCUS MEETINGS &  
1<sup>st</sup> READING of SDACC RESOLUTIONS**

- Randall Reservoir – Amphitheatre I
- Southeast Central – Lincoln Room
- Upper Missouri Valley – Amphitheatre I
- Black Hills – Roosevelt Room
- Lake Region – Jefferson Room
- Oahe – Amphitheatre II
- Sioux Valley – Maple Room
- South East – Amphitheatre II

5:30 – 6:30 pm

**VENDOR SOCIAL**

Exhibit Hall

(Deb Russell singing group)

**Tuesday, September 14, 2021**

7:00 – 8:15 am

**ATTENDEE AND VENDOR BREAKFAST**

Exhibit Hall

8:30 – 9:15 am

**HR ISSUES AS THEY PERTAIN TO THE NEW MARIJUANA LAWS (C,A)**

Room

*Sara Frankenstein, Attorney GPNA*

**DRIVERS LICENSING**

Room

*Jeannelle Yitagesu, Deputy Director Drivers Licensing program*

**REGISTER OF DEEDS ROUNDTABLE DISCUSSION**

Room

**HIGHWAY SUPERINTENDENT ROUNDTABLE**

Room

**SDACWO TRIVIA GAME**

Room

*SDACWO Board of Directors*

9:15 – 9:45 am

**VENDOR FAIR • BREAK**

Exhibit Area

10:00 – 10:45 am

**COUNTY ZONING**

Room

*Todd Kays, First Planning District*

*Luke Muller, First Planning District*

**SDACO GENERAL MEMBERSHIP MEETING**  
Room

**404 PERMITTING AND WETLAND MITIGATION**  
Room

*Jeffrey L. Breckenridge, P.E. Regulatory Project Manager, U.S. Army Corps of Engineers*

**HORIZON HEALTHCARE CENTER**  
Room

11:00 – 11:45 am

**SDACC GENERAL MEMBERSHIP MEETING**  
Room

**SECRETARY OF STATE**  
Room  
*Kea Wame, Elections*

**SD DEPT OF MOTOR VEHICLES**  
Room  
*Monica Weischedel, Motor Vehicles*

**BUSINESS SERVICES**  
Room  
*Jason Lutz, Kyle Holt – Sec of State office*

**SDACHS CLOSING MEETING**  
Room

**SDACWO CASE DISCUSSION**  
Room

12:00 – 1:00 pm

**SAFETY AWARDS LUNCHEON**  
Exhibit Area

1:00 – 1:30 pm

**VENDOR FAIR**  
Exhibit Area  
• Award vendor prizes

1:30 – 2:15 pm

**CYBERSECURITY**  
Room  
*Arica Kulm, PhD Lead Digital Forensic Analyst, DigForCE Lab*

**SD DEPT OF MOTOR VEHICLES**  
Room  
*Monica Weischedel, Motor Vehicles*

**RAPID CITY HUMAN SERVICES COMPLEX TOUR**

## **Spouse's Events SDACC**

September 13-14, 2021 - Rapid City, SD

### ***TOUR 1***

**Monday, September 13<sup>th</sup> Hill City / Keystone/Mt. Rushmore Visit**

9:00 AM – Drive from Ramkota Inn, Rapid City, SD to Hill City, SD

10:00 AM – Arrival in Hill City, SD

10:00 AM to Noon – 2 hours for exploring local Hill City shops/museum

Noon to 2:00 PM – Lunch at Alpine Inn

2:00 to 2:30 PM– Leave Alpine Inn for 1880 Train, get tickets & board

2:30 to 3:30 PM– 1880 Train ride to Keystone, SD (1 hour)

3:30 PM – Arrive at Keystone, SD (103 Winter St, Keystone, SD 57751)

- a. Leave for Mount Rushmore after 1880 Train ride (8-minute drive from Keystone, SD)  
-OR-
- b. Spend 60 minutes exploring local Keystone shops

4:45 PM – Drive back to Ramkota Inn, Rapid City, SD from Keystone, SD

**Tuesday, September 14<sup>th</sup>**

### ***TOUR 2 - HIKE***

6:30 AM Sunrise hike possibilities:

- o M-hill, approx. 1.5 miles, 1 hour
- o Dinosaur Hill
- o Buzzard's Roost

### ***TOUR 3 – DOWNTOWN RAPID CITY TOUR AND LUNCH***

10:00 AM – Downtown sites to explore: City of Presidents Walking Tour  
Shopping – Prairie Edge  
Alex Johnson Tour  
Main Street Square  
Art Alley

11:30 AM – Lunch at The Firehouse

2:00 PM – Return to the Ramkota

*THESE ARE ALL TENTATIVE PLANS AND ARE SUBJECT TO CHANGE*

Filed Date:

6-28-2021

Cost:

2,865

Sheriff Activity Cost

Coroner Activity Cost

| Date    | Name    | Gallons | Unit     | Date | Name | Gallons | Unit |
|---------|---------|---------|----------|------|------|---------|------|
| 6-28-21 | Herman  | 12.6    | CO 11419 |      |      |         |      |
| 6-30-21 | Herman  | 19.2    | CO 10693 |      |      |         |      |
| 7-2-21  | Herman  | 19.7    | CO 10693 |      |      |         |      |
| 7-5-21  | Herman  | 18.8    | CO 10693 |      |      |         |      |
| 7-7-21  | Herman  | 19.8    | CO 10693 |      |      |         |      |
| 7-9-21  | Herman  | 16.1    | CO 10693 |      |      |         |      |
| 7-11-21 | Herman  | 20      | CO 10693 |      |      |         |      |
| 7-14-21 | Herman  | 13      | CO 11398 |      |      |         |      |
| 7-12-21 | Herman  | 12.4    | CO 11398 |      |      |         |      |
| 7-10-21 | Herman  | 19      | CO 10693 |      |      |         |      |
| 7-23-21 | Herman  | 14      | CO 11419 |      |      |         |      |
| 7-25-21 | Herman  | 19      | CO 10693 |      |      |         |      |
| 7-27-21 | Herman  | 8.4     | CO 11419 |      |      |         |      |
|         |         | 202     | Gal      |      |      |         |      |
|         |         | 2,965   | Per Gal  |      |      |         |      |
|         | Total = | 578.73  |          |      |      |         |      |

*George Butcher*

**OGLALA LAKOTA COUNTY HIGHWAY DEPARTMENT**

Date: 7-26-2021

To: WESTCO, 1-800-762-9906

The Oglala Lakota County Highway Department is requesting a quote on fuel on this 26 day of July, 2021.

**Please provide a bid for the following:**

450 Gallons of Unleaded Gas at \$ 2.835 / gal.

1,800 <sup>Ruby</sup> Gallons of Diesel at \$ 2.675 / gal.

\_\_\_\_\_ Gallons of Propane at \$ \_\_\_\_\_ / gal.

The Oglala Lakota County Highway Dept. propane tank is a 1,000-gallon tank;  
the current propane level is \_\_\_\_\_ percent.

Signature: *[Handwritten Signature]*

Date: 7-26-2021

**County Exemptions / Taxes Applicable:**

Unleaded: Federal tax exempt; State tax applicable

Diesel: Federal and State tax exempt; \$0.02 EPA tax applicable

**Please submit a bid on the above requested fuel, faxed to 1-605-288-1867.**

Oglala Lakota County Highway Department  
PO Box 208, Batesland, SD 57716  
Ph - 605-288-1866, Cell - 605-441-6261, Fax - 605-288-1867  
Email: olchwy@hotmail.com

Kadoka oil gas 3.06  
Diesel 2.72

For office use only:  
 Response  
 No Response



**Oglala Lakota County Resolution No. 2021 – 08**  
**Discretionary Formula SDCL 10-6-137**

WHEREAS, the County of Oglala Lakota, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137:

Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL § 11-8-4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(1));

Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(2));

Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-137(3));

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-137(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(4));

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));

Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6));

Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § 10-6-141 if the new structure, addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § 11-7-2 or 11-7-3 (SDCL § 10-6-137(7)); or

Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure (SDCL § 10-6-137(8)); and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value"; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction,   0   % of the Pre-Adjustment Value;
- b. For the second tax year the following construction,   0   % of the Pre-Adjustment Value;
- c. For the third tax year following construction,   0   % of the Pre-Adjustment Value;
- d. For the fourth tax year following construction,   0   % of the Pre-Adjustment Value;
- e. For the fifth tax year following construction,   0   % of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 11<sup>th</sup> day of August, 2021

Oglala Lakota County Commission

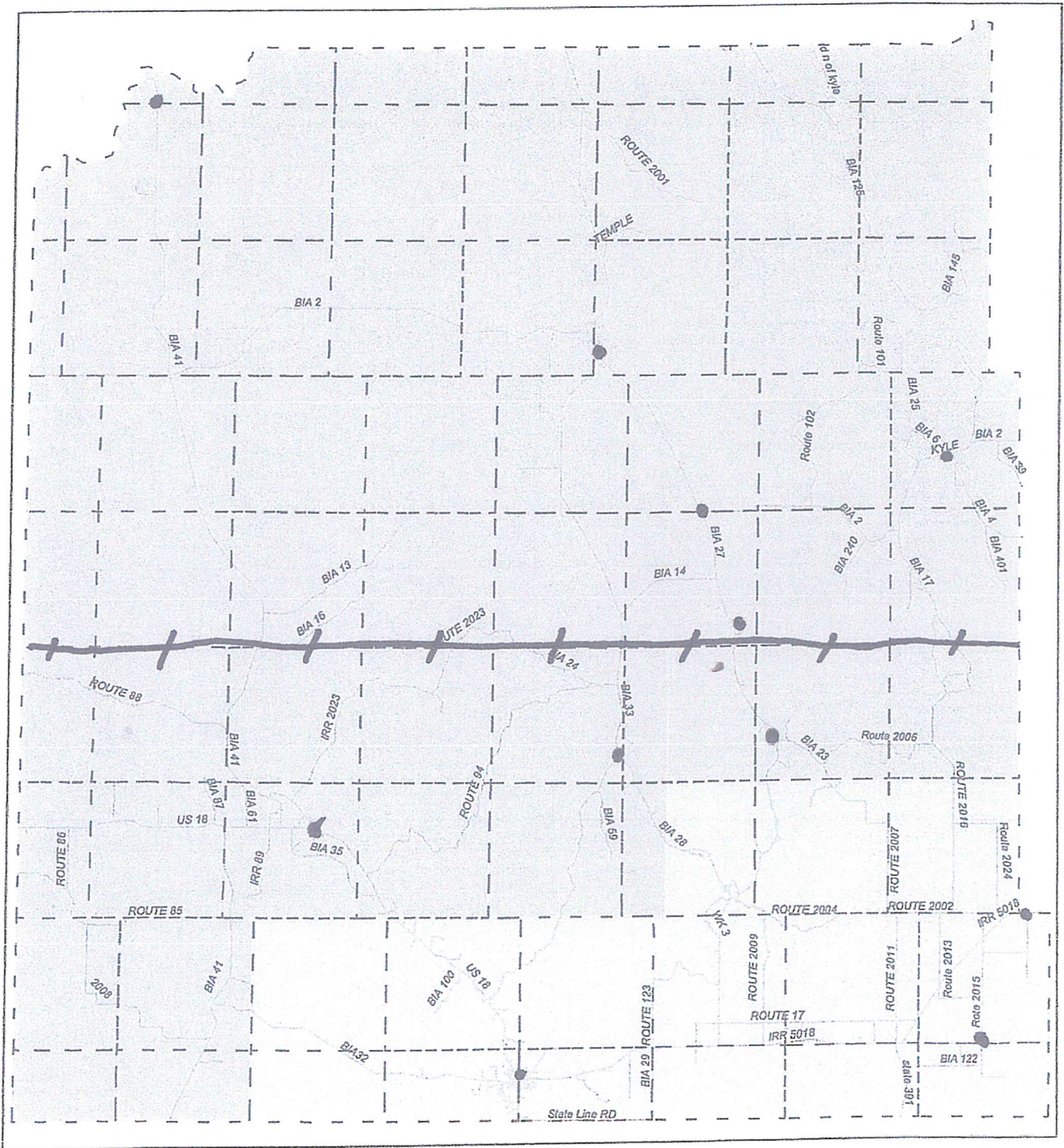
\_\_\_\_\_  
Anna Takes the Shield, Chairman

Attest:

\_\_\_\_\_  
Sue Ganje, County Auditor

(Seal)





Oglala Lakota County  
Fire Fund Division

**BVFD Proposed  
Boundary**

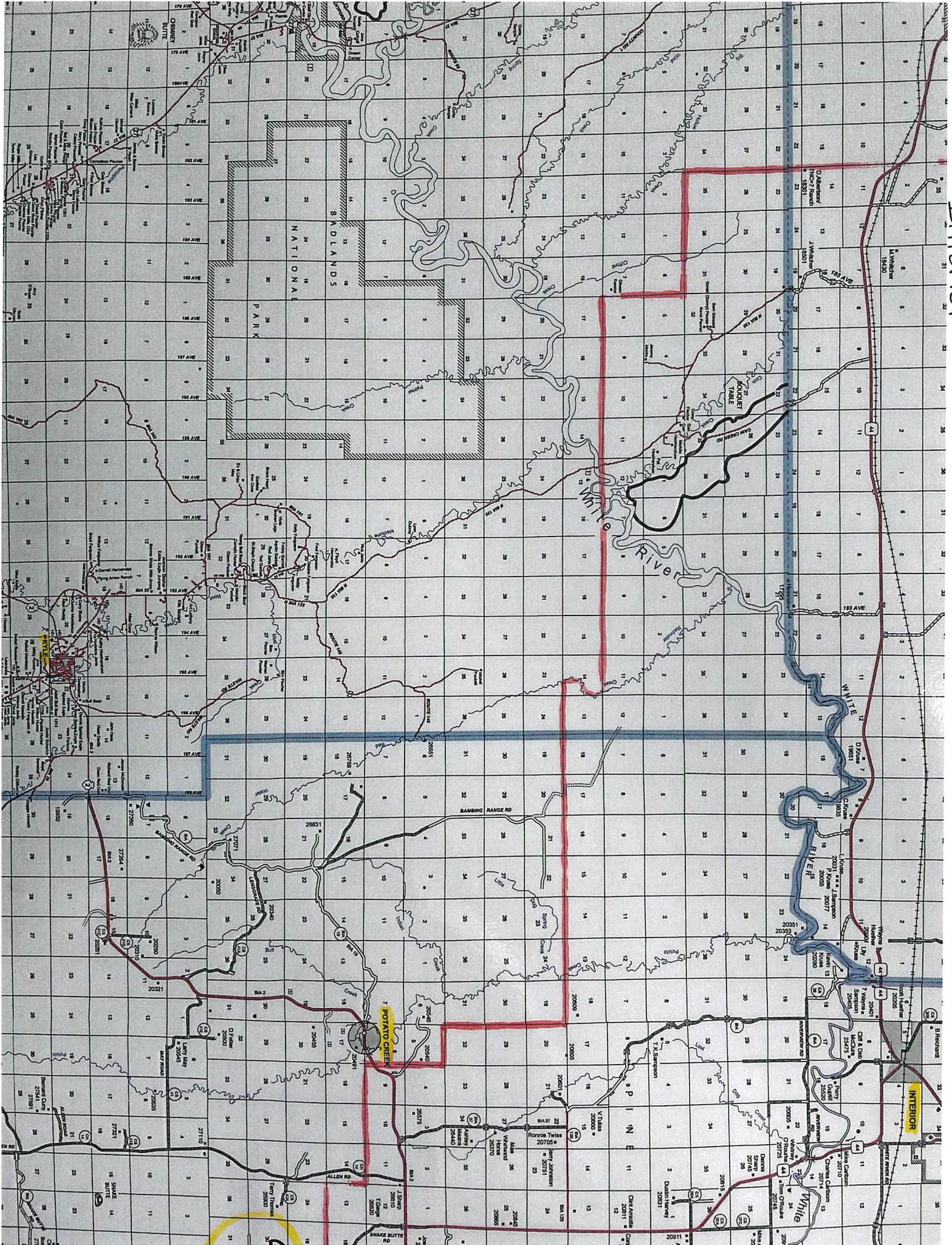
- Legend
- Fire Zones
  - BATESLAND
  - KYLE



Date: 6/25/2021



Interior



Oglala Lakota

Interior

Batesland

Kyle

Green Valley

**PENNINGTON**

Wasta

Rockerville

Doty

Box Elder

Interior

Rochford

Battle Creek

Silver City

Wall

Quinn

Rapid Valley

Rapid City

Philip

New Underwood

Whispering Pines

Hill City

North Haines

Scenic

Johnson Siding

Folsom

Black Hawk

**PERKINS**

Lemmon

Sorum

Mud Butte

Faith

Prairie City

Lodgepole

Ralph

Bison

Grand River

Glad Valley

Opal

## ORDINANCE 2021-02

### AN ORDINANCE ADDING CHAPTER [REDACTED] TO THE REVISED ORDINANCES OF THE [REDACTED] COUNTY CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

BE IT ORDAINED by the Board of County Commissioners of Oglala Lakota County that Title [REDACTED] of the Revised Ordinances of Oglala Lakota County is hereby amended by adding new Chapter [REDACTED] as follows:

#### XX.01: PURPOSE AND INTENT

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

#### XX.02: DEFINITIONS

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

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

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

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

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

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

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

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

**Department:** the South Dakota Department of Health

### **XX.03: LICENSE REQUIRED**

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

### **XX.04: LICENSE APPLICATION**

- (a) An application for a cannabis establishment license must be made on a form provided by the County. No other application form will be considered.
- (b) The applicant must submit the following:
  - 1. Application fee of [REDACTED] (Suggest \$5,000). The County will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
  - 2. An application that will include, but is not limited to, the following:
    - i. The legal name of the prospective cannabis establishment;
    - ii. The physical address of the prospective cannabis establishment that meets the location requirements in XX.07, as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
    - iii. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.



- iv. A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction.
- v. Any additional information requested by the County.

**XX.05: ISSUANCE OF LICENSE**

(a) The County will issue a license unless:

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

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

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

## XX.06: COUNTY NEUTRALITY AS TO APPLICANTS

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

## XX.07: LOCATIONS

### (a) Cannabis Dispensary

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

- ix. Signage and advertising shall be limited to on premise signage only, no billboard advertising, pole signage is prohibited, and signage is limited to text only with no graphic displays or video.

(b) Cannabis Cultivation Facility

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

2. General Provisions and Performance Standards for Cannabis Cultivation Facilities

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

(c) Cannabis Testing Facility

1. Cannabis Testing Facility shall not be located within a prescribed distance from certain existing uses as measured from the lot line of the property where the testing facility is proposed, to the lot line of the protected uses listed below:
  - i. Shall not be located within 1,000 feet of a public or private school existing before the date of the cannabis testing establishment application. (34-20G-55).
  - ii. Shall not be located within \_\_\_\_\_ feet from a nonresidential daycare facility.
  - iii. Shall not be located within \_\_\_\_\_ feet from a public park, public pool or public recreational facility or library.
  - iv. Shall not be located within \_\_\_\_\_ feet of a religious institution.
  - v. Shall not be located within \_\_\_\_\_ feet of a residence.

- vi. No future development will cause a testing facility to become nonconforming due to the establishment of a protected use within the distance prescribed herein.

## 2. General Provisions and Performance Standards for Cannabis Testing Facilities

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

### (d) Cannabis Product Manufacturing Facility

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

## 2. General Provisions and Performance Standards for Cannabis Testing Facilities

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

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

#### **XX.08: BUILDING CODE**

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

#### **XX.09: EXPIRATION OF LICENSE AND RENEWAL**

- (a) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section XX.04. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (b) The renewal fee is \_\_\_\_\_ (Suggest \$5,000). The County will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
- (c) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the County may order closure of the cannabis establishment.
- (d) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

#### **XX.10: SUSPENSION**

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

- (c) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

#### **XX.11: REVOCATION**

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

#### **XX.12. SUSPENSION AND REVOCATION PROCESS**

- (a) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the County's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.

- (b) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the **County Commission Chairperson, Auditor, Sheriff, and \_\_\_\_\_**
- (c) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (d) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
- (e) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

#### **XX.13: APPEAL**

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

#### **XX.14: LICENSES NOT TRANSFERRABLE**

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

#### **XX.15: LIABILITY FOR VIOLATIONS**

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

#### **XX.16: PENALTIES**

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

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

DRAFT



Greetings,

If your County adopted the temporary medical cannabis facilities ordinance earlier this year, you may recall that the ordinance would only prohibit the zoning or licensing of medical cannabis facilities until the State promulgated rules. To date the Department of Health has drafted proposed rules ([https://medcannabis.sd.gov/docs/4490-medicalcannabis-drafrules\\_06-23-21.pdf](https://medcannabis.sd.gov/docs/4490-medicalcannabis-drafrules_06-23-21.pdf)). It is my understanding that there will be a public hearing on the proposed rules on or about September 13, 2021. The rules could be adopted shortly thereafter and become effective sometime after October 4, 2021.

This leaves little time for counties to adopt more comprehensive zoning and licensing ordinances related to cannabis. SDACC is providing a licensing ordinance related to cannabis establishments for communities without zoning ordinances. This ordinance will continue to act as a stop gap to cannabis establishments until your County can do the necessary due diligence in discussing and adopting the appropriate policy for your County. The ordinance is based upon similar regulations in Spearfish and Watertown. Basically, the ordinance would restrict the development of cannabis cultivation, cannabis manufacturing and cannabis testing establishments. Your County will have to decide how many cannabis dispensaries to allow. You are required to have at least one.

The Licensing Ordinance is pretty straightforward. You will need to:

1. Determine the number of cannabis dispensary establishments
2. Determine a fee (we suggest \$5,000 – same as the State)
3. Determine the hours of operation
4. Determine the setback/separation distances from specific uses

If you are interested in these regulations, it is crucial that your County follows the suggested timeline below. If the County has not adopted some form of cannabis zoning/licensing regulations by the time the State's promulgated rules go into effect, your County will not be able to prohibit cultivation, manufacturing, or testing facilities or the number and location of dispensaries.

**July 26, 2021** – SDACC provides template

**July 26, 2021 – August 24, 2024** – County Develops Ordinance

**August 31, 2021** – 1<sup>st</sup> Reading

**September 7, 2021** – 2<sup>nd</sup> reading

**September 14, 2021** – Publish Ordinance

**October 4, 2021** – Ordinance in effect

As common practice, before adoption, we suggest you share this information with your States Attorney.



# Election Notice

**SDML WORKERS' COMPENSATION FUND**

**NOTICE OF BOARD OF TRUSTEES ELECTION**

**WEDNESDAY, OCTOBER 6, 2021**

**SPEARFISH HOLIDAY INN AND CONVENTION CENTER, SPEARFISH, SD**

The SDML Workers' Compensation Fund Board of Trustees election will be held Wednesday, October 6, 2021, at the annual membership meeting during the SDML Annual Conference in Spearfish, SD.

Two city seats are up for election. The positions are currently held by:

- Jodi Mathis, Human Resource Director, Spearfish
- Brittany Smith, City Administrator, Philip

If you are interested in a position on the SDML Workers' Compensation Fund or would like to nominate someone who is a Member of the SDML Workers' Comp Fund and is either an elected or appointed official, please send a letter of application by the deadline date of September 6, 2021 to:

Sandi Larson  
SDML Director of Risk Sharing Services  
208 Island Drive  
Ft. Pierre, South Dakota 57532  
Phone: 1-800-658-3633  
E-mail: [sandi@sdmunicipalleague.org](mailto:sandi@sdmunicipalleague.org)

Positions on the Board of Trustees are for three years and the successful candidates will be seated on January 1, 2022. All nominations for the election will be forwarded to the Nominating Committee.

## Mission Statement

The SDML Workers' Compensation Fund has a strong commitment to providing a competitive workers' compensation program for the public entities in South Dakota through administrative, loss control and technical services.

As a risk-sharing pool the SDML Workers' Compensation Fund was created for its Members and is controlled by its Members.

## Board of Trustees

Karl Alberts  
Chairman  
Finance Officer, Aberdeen

Bob Wilcox  
Vice Chairman

SDACC Executive Director, Pierre

Yvonne Taylor  
Secretary

SDML Executive Director, Ft. Pierre

Laurie Gronlund  
Human Resources Director, Pierre

Jodi Mathis

Human Resource Officer, Spearfish

Brittany Smith  
City Administrator, Philip

Brenda Bode

Davison County Commissioner, Mt. Vernon

Jim Schmidt

Lincoln County Commissioner,  
Sioux Falls

Mike Grosek  
Mayor, Webster

## CREATED, SPONSORED, AND ENDORSED BY

South Dakota Municipal League  
Yvonne Taylor, Executive Director  
800-658-3633

## ENDORSED BY

South Dakota Association of  
County Commissioners  
Bob Wilcox, Executive Director  
605-224-4554

## Service Providers

Administration & Marketing  
Insurance Benefits, Inc.  
4901 Isabel Place, Suite 210  
Sioux Falls, SD 57108  
800-233-9073

Actuarial Services  
AON Risk Solutions  
17875 Von Karman Avenue, Suite 300  
Irvine, CA 92614  
949-608-6332

Claims Administration  
Claims Associates, Inc.  
4901 Isabel Place, Suite 100  
Sioux Falls, SD 57108  
888-654-6495

Claims Audit  
Northshore International Insurance  
Services  
76 Lafayette Street  
Salem, MA 01970

Financial Audit  
RSM US LLP  
110 S. Phillips Avenue, Suite 300  
Sioux Falls, SD 57104  
605-336-0753

Investment Manager  
Bankwest Trust  
PO Box 998  
Pierre, SD 57501  
605-224-7392

Loss Control  
Safety Benefits, Inc.  
PO Box 522  
Plankinton, SD 57368  
888-313-0839

Re-Insurance  
Safety National Casualty Corporation  
2043 Woodland Parkway  
St. Louis, MO 63146

# 2020 Annual Financial Report

SDML Workers' Compensation Fund

# To the Membership



