

**OGLALA LAKOTA COUNTY UNAPPROVED MINUTES OF AUGUST 11, 2021**

The Oglala Lakota Board of County Commissioners met in regular session on August 11, 2021. Present: Ramon Bear Runner (via phone), Art Hopkins, Anna Takes the Shield (DuBray) (via phone), Eugenio White Hawk, Wendell Yellow Bull (via phone) and Sue Ganje, Auditor.

The Pledge of Allegiance was given, and meeting was called to order at 1:17 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 White Hawk, seconded by Bear Runner, to approve the July 21, 2021 minutes.

Motion made by White Hawk, seconded by Bear Runner, to approve the June Auditor's Account with the Treasurer as follows:

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

**TOTAL \$ 4,520,309.09**

Dated This 30th Day of June 2021.

/s/Sue Ganje, County Auditor of Oglala Lakota County

/s/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>\$ 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.

Motion by White Hawk, seconded by Bear Runner, to accept and place on file the July 2021 Veteran Service Officer report.

Motion made by Bear Runner, seconded by White Hawk, to approve advance travel for Jerlene Arredondo to attend the SDDVA Annual workshop and training, Pierre, August 16 through August 18, 2021.

Motion made by White Hawk, seconded by Bear Runner, to approve travel for Lynx Bettelyoun (Highway Superintendent), Kathy Timmins (Deputy Treasurer), Stacy Schmidt (Deputy Auditor) and all Commissioners to attend the 2021 County Convention, September 13 and September 14, 2021, Rapid City.

Motion made by Bear Runner, seconded by White Hawk, to approve the June 28, 2021 through July 27, 2021 sheriff fuel transfer to reimburse the highway for 202 gallons of fuel at \$2.865 per gallon, for a total of \$578.73.

Fuel bids were presented as follows:

	450-Gal Gasoline	1,800-Gal Ruby Diesel
Westco	\$2.835/gallon	\$2.675/gallon
Kadoka Oil	\$3.06/gallon	\$2.72/gallon
Pine Ridge Oil	No Bid	\$3.229/gallon

Motion made by Bear Runner, seconded by White Hawk, to approve the low bid from Westco for 450 gallons of unleaded gasoline at \$2.835 per gallon, for a total of \$1,275.75 and 1,800 gallons of #2 ruby diesel, at \$2.675 per gallon, for a total of \$4,815.00.

Joe Herman, Sheriff, met with the board. Motion made by Yellow Bull, seconded by White Hawk, to hire Audrey Martinez, at \$14.00 per hour, for 40 hours per week, to be an administrative assistant for the Highway Department and Sheriff's Office and advertise for a coroner. Martinez will continue as Coroner until new application received.

Discussion was held on additional money being put into an additional position with possible American Rescue Plan funds; this will be brought back at the next meeting.

Susie Hayes, Director of Equalization, met with the board. Motion made by Yellow Bull, seconded by Bear Runner to approve the following resolution:

**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:

  X   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));

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, 20% of the Pre-Adjustment Value;
- b. For the second tax year following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% 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

FUTHER 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  
/s/Anna Takes the Shield, Chairman

Attest:

/s/Sue Ganje, County Auditor

Motion made by Yellow Bull, seconded by Bear Runner, to approve travel for Frances Denison, 2021 Annual Assessor School, September 20 – September 24, 2021, Pierre, SD.

The hearing for those Fire Departments certified in 2020 (and 2021) by the State Fire Marshall for Fire Insurance monies was held, with the purpose of determining areas of primary response in the county. Will Smith, Batesland Fire Department, and Francis Big Crow, Kyle Fire Department, were present. Discussion was held on maps by the fire departments regarding the service areas that each department covers in the County, whether departments would apply for fire insurance funds in neighboring counties if certified in that county, and the state law that the county has to follow the distribution of fire insurance monies.

Motion made by Yellow Bull, seconded by White Hawk, to table the fire discussion to the next regular meeting in September to allow the Auditor to bring an opinion from Legislative Audit and the State's Attorney.

Teresa Pullen, Treasurer, met with the board. Motion made by Yellow Bull, seconded by Hopkins, to approve Pullen opening a new bank account at the Lakota Federal Credit Union in Kyle or the First National Bank in Lead, dependent on interest rates.

Lance Russell, State's Attorney, met with the board to discuss the amendments to Ordinance 2021-02, (reference Medical Cannabis). They will need to determine the number of dispensaries in the county (excluding the Town of Batesland), hours, fees and the number of feet between the dispensary and protected use areas such as schools, nonresident daycare facilities, public parks, pools, library, religious institutions, or residences. Motion made by Yellow Bull,

seconded by Hopkins, to approve setting a special meeting for the 1<sup>st</sup> reading of the revised Ordinance 2021-01 on August 30, 2021 at 1:00 p.m.

Takes the Shield exited the meeting at 2:56 p.m. and turned the meeting over to Vice-chairman White Hawk.

Russell, along with Lynn Two Bear, Legal Assistant, discussed the phone calls that have been made regarding creating a County Housing Authority. There are no similar authorities in Todd County. Discussion was held on Native American Housing, OST Housing and the 1937 Housing Act. Motion made by Yellow Bull, seconded by Hopkins, to table the Housing Authority discussion until the September meeting.

Sue Ganje, Auditor, met with the board to discuss the American Rescue Plan and the possibility of giving employees a bonus, as well as forms that will need to be filled out throughout the process. Ganje also reviewed the provisional budget for 2022.

Motion made by Yellow Bull, seconded by Hopkins, to approve the 2022 provisional budget.

Motion made by Yellow Bull, seconded by Hopkins, to approve the bills, as follows:

**GENERAL FUND**

ARREDONDO, JERLENE	TRAVEL REIMBURSEMENT	\$335.60
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$54.08
AT&T TELECONFERENCE	CONFERENCE CALL	\$64.07
EFTPS	EFTPS PAYROLL TAXES	\$1,554.32
GOLDEN SEST	LOCAL PHONE/EMAIL/LONG DISTANCE	\$126.62
HOPKINS, ARTHUR L	MILEAGE	\$95.76
LAKOTA TIMES	PUBLICATION	\$179.20
OGLALA SIOUX TRIBE	MONTH RENT FOR VETERAN SERVICE OFFICER	\$100.00
PENNINGTON COUNTY JAIL	INMATE HOUSING	\$765.00
QUILL CORPORATION	SUPPLIES	\$94.25
RELIANCE STANDARD	LIFE INSURANCE	\$59.00
SECRETARY OF STATE	PISTOL PERMITS	\$49.00
OL COUNTY TREASURER	SALES TAX	\$10.18
SD STATE RETIREMENT	SD RETIREMENT SYSTEM	\$701.68
TREASURER - EXPENSES	OL TREASURER	\$60.20
WHITE HAWK, EUGENIO	MILEAGE	\$75.60
DAY BOY, MARLA	PISTOL PERMIT REFUND	\$10.00
COMMISSION	JULY SALARIES	\$1,325.00
STATE'S ATTORNEY'S OFFICE	JULY SALARIES	\$500.00
VETERAN'S SERVICE OFFICE	JULY SALARIES	\$1,291.67
SHERIFF	JULY SALARIES	\$4,010.56
CORONER	JULY SALARIES	\$625.00

	TOTAL FOR GENERAL FUND	\$12,086.79
<b>COUNTY ROAD &amp; BRIDGE</b>		
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$85.71
BUTLER MACHINERY CO.	EQUIPMENT/REPAIR	\$5,999.99
PRODUCTIVITY PLUS ACCT	SERVICE/REPAIR	\$2,275.46
CULLIGAN	UTILITY	\$29.00
EFTPS	EFTPS PAYROLL TAXES	\$3,644.22
FERGUSON, KELLY	GRAVEL	\$34,000.00
GOLDEN WEST TECHNOLOGIES	SECURITY SUPPORT	\$1,807.50
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$201.77
MARTIN AUTO PARTS	PARTS/SUPPLY	\$299.48
MCI COMM SERVICE	LONG DISTANCE	\$53.14
MENARD'S	SUPPLIES	\$89.96
PACIFIC STEEL & SIDING	SUPPLIES	\$224.00
RELIANCE STANDARD	LIFE INSURANCE	\$131.50
OL COUNTY TREASURER	SALES TAX	\$3.12
SD STATE RETIREMENT	SD RETIREMENT SYSTEM	\$1,897.54
WESTCO	FUEL/UTILITIES	\$7,069.75
HIGHWAY DEPARTMENT	JULY SALARIES	\$13,936.39
HIGHWAY DEPARTMENT	OVERTIME	\$1,876.41
	TOTAL FOR COUNTY ROAD & BRIDGE	\$73,624.94
	TOTAL PAID BETWEEN 7/22/21 AND 8/11/21	\$85,711.73

No public comment was given. Motion made by Yellow Bull, seconded by Hopkins, to adjourn at 3:31 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

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 31st day of July 2021.

<b>Total Amount of Deposit in First Interstate Bank, HS:</b>	\$ 1,176,644.68
<b>Total Amount of Cash:</b>	\$ 1,523.51
<b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>	\$ 12,214.52
<b>MONEY MARKET SAVINGS:</b>	
First Interstate, HS:	\$ 2,994,048.19
<b>CERTIFICATES OF DEPOSIT:</b>	
First Interstate, HS:	\$ 201,954.01
Black Hills Federal Credit Union, HS:	\$ 50,000.00

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


Sheriff Change Fund:	\$ 200.00
Election Petty Cash:	\$ 15.00

**RETURNED CHECKS:**

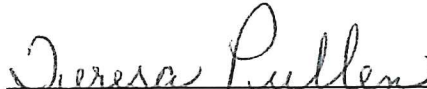
Titus, Casey	10/26/2020	\$ 75.00
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**TOTAL \$ 4,436,674.91**

Dated This 31st Day of July.



Sue Ganje, County Auditor of Oglala Lakota County



Teresa Pullen, County Treasurer of Oglala Lakota County

County Monies	\$ 2,984,351.05
Held for other Entities	\$ 1,401,619.00
Held in Trust	\$ 50,704.86
<b>TOTAL</b>	<b>\$ 4,436,674.91</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.

OGLALA LAKOTA COUNTY VSO

MONTHLY ACTIVITY REPORT August 2021

OFFICE VISITS APPOINTMENTS 8 WALK-INS 16 PHONE 11 TOTAL 35

DEATHS TRIBAL MEMBERS 4 NON-TRIBAL MEMBERS \_\_\_\_\_

VETERANS ADMINISTRATION

NEW CLAIMS 3 (PERSON 2 PHONE 1)

EXISTING CLAIMS 11 (PERSON 9 PHONE 2)

NEW MEDICAL ENROLLMENT \_\_\_\_\_

DD214 REQUESTS 9 (OFFICE 5 OTHER 4)

HOME LOAN 1 VA STATE HOME \_\_\_\_\_ OTHER 8

SD STATE BENEFITS

VETERANS/ACTIVE DUTY BONUS \_\_\_\_\_ BURIAL BENEFITS \_\_\_\_\_ EDUCATION \_\_\_\_\_

HEADSTONE/SET UP 3 RECORDS/OTHER 4 STATE PARKS \_\_\_\_\_

HUNTING/FISHING LICENSES \_\_\_\_\_ LICENSE PLATES \_\_\_\_\_ DRIVERS LICENSE \_\_\_\_\_

TRIBAL

TRIBAL VETERANS FLAG 4 FUNERALS/ROLL CALL 2

MEETINGS \_\_\_\_\_ OTHER \_\_\_\_\_

PUBLIC OUTREACH

SOCIAL MEDIA \_\_\_\_\_ RADIO STATION \_\_\_\_\_ OTHER \_\_\_\_\_

OTHER attended Annual Certification training 8-16/18 Pierre

VSO NAME J. G. H. Redondo



Filed Date:

7-29-2021

Cost:

2,835

Sheriff Activity Cost

Coroner Activity Cost

Date	Name	Gallons	Unit	Date	Name	Gallons	Unit
7-30-21	Herrman	19.3	CO 10693				
7-30-21	Herrman	7	CO 11419				
8-1-21	Herrman	13.9	CO 11398				
8-3-21	Herrman	15.5	CO 10693				
8-5-21	Herrman	17.9	CO 10639	Charged			
8-5-21	Herrman	14.1	CO 11398				
8-7-21	Herrman	20.4	CO 10693				
8-10-21	Herrman	18.3	CO 10639				
8-13-21	Herrman	20	CO 10693				
8-15-21	Herrman	18	CO 10639				
8-17-21	Herrman	19	CO 10693				
8-18-21	Herrman	11	CO 11419				
8-21-21	Herrman	15.5	CO 10639				
8-24-21	Herrman	11.7	CO 11398				
		221.7	Gals				
		2,835	Per Gal				
	Total =	\$ 628,519.5					

**OGJALA LAKOTA COUNTY HIGHWAY DEPARTMENT**

Date: 8-23-2021

To: WESTCO, 1-800-762-9906

The Oglala Lakota County Highway Department is requesting a quote on fuel on this 23 day of August, 2021.

Please provide a bid for the following:

or until  
tanks are  
full

400 Gallons of Unleaded Gas at \$ 2.729 / gal.

2,000 Gallons of Diesel at \$ 2.590 / gal.  
#2 Ruby

\_\_\_\_\_ 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: \_\_\_\_\_

Date: 8/24/21

**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

For office use only:

Response

No Response

**OGJALA LAKOTA COUNTY HIGHWAY DEPARTMENT**

Date: 8-23-2021

To: Kadoka Oil

The Oglala Lakota County Highway Department is requesting a quote on fuel on this 23 day of August, 2021.

Please provide a bid for the following:

400 Gallons of Unleaded Gas at \$ 3.07 / gal.

# Ruby

2000 Gallons of Diesel at \$ 2.67 / 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: 8-24-21

**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: [alchwy@hotmail.com](mailto:alchwy@hotmail.com)

For office use only:

Response

No Response

# OGLALA LAKOTA COUNTY HIGHWAY DEPARTMENT

To: Oglala Lakota County Commissioners

Re: Petition for Private Road Maintenance

The petition is from residents within the boundaries of Oglala Lakota County who have roads that are not on the Oglala Lakota County road system. Road maintenance is being requested at the following physical location (¼ Section, Township, and Range):

Section 13, Township 36, Range 45

Description of requested work would be:

Dig Grave & Fix Road

Cost for the requested work would be:

Cost will be determined by the cost accounting system (see attached sheets for estimates), one hour minimum. Time will begin when leaving the shop, and end when returning to the shop if there is no County equipment located near the requested job site; or travel time will be from the area where the equipment is being stored and ending when returning back to the area where the equipment is being stored, if there is County equipment located near the requested job site.

The cost of each project will be estimated by the Highway Superintendent, determined by the number of hours. The estimated cost will be 100% paid by the petitioner to the Highway Superintendent, who will forward the money to the County Auditor, 906 N. River Street, Hots Springs, SD 57747, and upon receipt of money, Auditor will notify the Highway Superintendent to authorize start of project. All contracts will be taken to the Board of Commission meetings for approval in the minutes.

This work will be performed by the Oglala Lakota County Superintendent and employees, with cost records maintained. This work will be only performed when weather permits, and when normal maintenance duties are caught up. State law authorizes a maximum of 6 hours per year, per applicant.

The applicant agrees to indemnify and hold harmless Oglala Lakota County for any and all actions, suits, liability, damages or other proceedings arising out of operations to complete the requested road maintenance.

X William Fourn P.O. Box 536 605-407-7373 08/15/21

Property Owner

Address

Phone #

Date

X [Signature]

Property Owner Signature

Oglala Lakota County Chairman

Date

[Signature]

Oglala Lakota Hwy Supt.

Date

1  
Total Hours Estimated

58.00  
100% Estimate Amount

\_\_\_\_\_  
Date received by Auditor

# Oglala Lakota County Highway Department

(605) 288-1866 ~ shop (605) 288-1867 ~ fax

Name: William Fource

Date: 08/15/21

<u>ITEM</u>	<u>COST PER HOUR</u>	<u>HOURS</u>	<u>TOTAL</u>
Motor Grader	\$78.00		
Dump Truck	\$58.00		
Loader	\$58.00	1	58.00
Semi/Belly Dump	\$132.00	:	
Pit Run Gravel	\$2.00		
Mower Tractor	\$48.00		

Grand Total 58.00

Signature W.F.

Date: 08/15/21

Superintendent Signature James Butcher

Date: 8-15-2021

## ORDINANCE 2021-01 AMENDED

### AN ORDINANCE ADDING CHAPTER 3 TO THE REVISED ORDINANCES OF THE OGLALA LAKOTA COUNTY CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

**BE IT ORDAINED** by the Board of County Commissioners of Oglala Lakota County that Title 1 of the Revised Ordinances of Oglala Lakota County is hereby amended by adding new Chapter 3 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 3. 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 3. 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 \$5,000.00. 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 1,000 feet from a nonresidential daycare facility
  - iii. Shall not be located within 1,000 feet from a public park, public pool or public recreational facility or library
  - iv. Shall not be located within 1,000 feet of a religious institution
  - v. Shall not be located within 1,000 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 1cannabis 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 7:01 p.m. and 8:59 a.m. any day of the week, excluding Sundays.
  - 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 500 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 500 feet from a nonresidential daycare facility
  - iii. Shall not be located within 500 feet from a public park, public pool or public recreational facility or library
  - iv. Shall not be located within 500 feet of a religious institution
  - v. Shall not be located within 500 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 500 feet from a nonresidential daycare facility.
  - iii. Shall not be located within 500 feet from a public park, public pool or public recreational facility or library.
  - iv. Shall not be located within 500 feet of a religious institution.
  - v. Shall not be located within 500 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 1,500 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 1,500 feet from a nonresidential daycare facility.
  - iii. Shall not be located within 1,500 feet from a public park, public pool or public recreational facility or library.
  - iv. Shall not be located within 1,500 feet of a religious institution.
  - v. Shall not be located within 1,500 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 \$5,000.00. 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 a commissioner appointed by resolution.
- (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.

**Badlands Conservation District**  
**2022 Budget**  
**January through December 2022**

January - December 2022

Ordinary Income/Expense

Income

Intergovernmental Revenue

County Appropriations

\$2,500.00

Total Intergovernment Revenue

\$2,500.00

Charges for Goods/Services

Hand Tree Plants

\$2,000.00

Equipment Rental

\$300.00

Total Charges for Goods/Services

\$2,300.00

Other Revenue

Interest Income

\$25.00

Total Other Income

\$25.00

Total Income

\$4,825.00

Expenses

Office Expenses

Utilities Expenses

\$225.00

Postage Expenses

\$150.00

Printing & Supplies Expenses

\$30.00

Insurance/Bond/Liabilities Exp.

\$750.00

Total Office Expenses

\$1,155.00

Supervisor Expenses

Supervisor Per Diem Expenses

\$0.00

Supervisor Mileage Expenses

\$0.00

Supervisor Meals Expenses

\$0.00

Supervisor Lodging Expense

\$0.00

Supervisor General Expense

\$0.00

Total Supervisor Expenses

\$0.00

Employee Expenses

Employee Wages

\$2,225.00

Employer Payroll Tax Expenses

\$190.00

Employee Mileage Expenses

\$0.00

Employee Meals Expense

\$0.00

Employee Lodging Expenses

\$0.00

Employee General Expenses

\$0.00

Total Employee Expenses

\$2,415.00



Other Expenses		
Membership & Dues Expenses	\$50.00	
Contribution Expenses	\$25.00	
Administrative Expenses	\$25.00	
Miscellaneous Expenses	\$25.00	
Total Other Expenses		\$125.00
Information & Education Expenses		
Newsletter Expenses	\$50.00	
Contest Expense	\$0.00	
Events Expense	\$0.00	
Awards & Recognition Expense	\$0.00	
Camps/Education Opportunities	\$0.00	
Total Information & Education Expenses		\$50.00
Tree Planting Expenses		
Tree Stock Expense	\$1,000.00	
Tree Planting Misc.	\$0.00	
Tree Planting Equip. Repairs	\$0.00	
Total Tree Planting Expenses		\$1,000.00
Miscellaneous Expenses		
Depreciation	\$75.00	
Miscellaneous	\$0.00	
Total Miscellaneous Expenses		\$75.00
Total Expenses		\$4,820.00

# **FINANCIAL REPORT**

**JANUARY 1, 2020**

**TO**

**DECEMBER 31, 2020**

**BADLANDS CONSERVATION DISTRICT**

**MARTIN, SOUTH DAKOTA**

One copy has been provided to each of the following (SDCL 38-3-48):

Division of Resource Conservation & Forestry

County Commissioners

Conservation District Office

10:14 AM  
01/06/21  
Accrual Basis

**Badlands Conservation District**  
**Profit & Loss**  
**January through December 2020**

	Jan - Dec 20
Ordinary Income/Expense	
Income	
40. · Intergovernmental Revenue	2,500.00
41. · Charges for Goods/Services	
4110. · Hand Tree Plants	2,026.24
Total 41. · Charges for Goods/Services	2,026.24
45. · Other Revenue	
4500. · Miscellaneous Income	35.32
4510. · Interest Income	25.71
Total 45. · Other Revenue	61.03
Total Income	4,587.27
Expense	
600. · Office Expenses	
6001. · Utilities Expense	227.56
6002. · Postage Expenses	165.69
6004. · Printing & Supplies Exp.	84.00
6005. · Insurance/Bond/Liabilities	721.96
Total 600. · Office Expenses	1,199.21
602. · Employee Expenses	
6020. · Employee Wages	2,224.25
6030. · Employer Payroll Tax Exp.	186.03
Total 602. · Employee Expenses	2,410.28
605. · Other Expenses	
6050. · Membership & Dues Expenses	50.00
6051. · Contributions Expenses	120.00
6056. · Miscellaneous Expense	41.54
Total 605. · Other Expenses	211.54
611. · Tree Planting Expenses	
6110. · Tree Stock Expense	1,148.57
Total 611. · Tree Planting Expenses	1,148.57
65. · Miscellaneous Expenses	
6550. · Depreciation	73.00
Total 65. · Miscellaneous Expenses	73.00
Total Expense	5,042.60
Net Ordinary Income	-455.33
Net Income	-455.33

10:15 AM  
 01/06/21  
 Accrual Basis

**Badlands Conservation District**  
**Balance Sheet**  
 As of December 31, 2020

	Dec 31, 20
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
1000 · First National Bank	5,622.31
1004 · Certificates of Deposit	
1004.2 · Certificate of Deposit - 2	1,064.14
<b>Total 1004 · Certificates of Deposit</b>	<b>1,064.14</b>
<b>Total Checking/Savings</b>	<b>6,686.45</b>
Accounts Receivable	
1200 · Accounts Receivable	352.00
<b>Total Accounts Receivable</b>	<b>352.00</b>
Other Current Assets	
1499 · 1001 Undeposited Funds	250.00
1499 · Undeposited Funds	-377.50
<b>Total Other Current Assets</b>	<b>-127.50</b>
<b>Total Current Assets</b>	<b>6,910.95</b>
<b>Fixed Assets</b>	
160 · Fixed Assets	
1650 · Machinery	
1650.1 · Crust Buster Drill	
1650.1 Original Cost	1,806.00
1750.1 Accumulated Depreciation	-1,535.00
<b>Total 1650.1 · Crust Buster Drill</b>	<b>271.00</b>
1650.2 · Spot Sprayer	
1650.2 Original Cost	992.00
1750.2 Accumulated Depreciation	-834.00
<b>Total 1650.2 · Spot Sprayer</b>	<b>158.00</b>
1650.4 · Range InterSeeder	
1650.4 Original Cost	344.00
1750.4 Accumulated Depreciation	-292.00
<b>Total 1650.4 · Range InterSeeder</b>	<b>52.00</b>
1650.5 · Nesbitt Drill	
1650.5 Original Cost	270.00
1750.5 Accumulated Depreciation	-230.00
<b>Total 1650.5 · Nesbitt Drill</b>	<b>40.00</b>
1650.6 · Tree Planter	
1650.6 Original Cost	270.00
1750.6 Accumulated Depreciation	-228.00
<b>Total 1650.6 · Tree Planter</b>	<b>42.00</b>
1650.7 · Fabric Machine	
1650.7 Original Cost	900.00
1750.7 Accumulated Depreciation	-553.00
<b>Total 1650.7 · Fabric Machine</b>	<b>347.00</b>
<b>Total 1650 · Machinery</b>	<b>910.00</b>
<b>Total 160 · Fixed Assets</b>	<b>910.00</b>
<b>Total Fixed Assets</b>	<b>910.00</b>
<b>TOTAL ASSETS</b>	<b>7,820.95</b>

10:15 AM  
01/06/21  
Accrual Basis

**Badlands Conservation District**  
**Balance Sheet**  
As of December 31, 2020

	Dec 31, 20
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
2000.Accounts Payable	
2100. Sales Tax Payable	20.95
<b>Total 2000.Accounts Payable</b>	20.95
<b>Total Other Current Liabilities</b>	20.95
<b>Total Current Liabilities</b>	20.95
<b>Total Liabilities</b>	20.95
<b>Equity</b>	
3000 Opening Bal Equity	27,197.73
3900 Retained Earnings	-18,942.40
Net Income	-455.33
<b>Total Equity</b>	7,800.00
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>7,820.95</b>

**Badlands Conservation District**  
**2021 Budget**  
**January through December 2021**

January - December 2021

Ordinary Income/Expense			
Income			
Intergovernmental Revenue			
	County Appropriations	<u>\$2,500.00</u>	
	Total Intergovernment Revenue		\$2,500.00
Charges for Goods/Services			
	Hand Tree Plants	\$2,050.00	
	Equipment Rental	<u>\$500.00</u>	
	Total Charges for Goods/Services		\$2,550.00
Other Revenue			
	Interest Income	<u>\$25.00</u>	
	Total Other Income		\$25.00
	Total Income		\$5,075.00
Expenses			
Office Expenses			
	Utilities Expenses	\$225.00	
	Postage Expenses	\$170.00	
	Printing & Supplies Expenses	\$50.00	
	Insurance/Bond/Liabilities Exp.	<u>\$800.00</u>	
	Total Office Expenses		\$1,245.00
Supervisor Expenses			
	Supervisor Per Diem Expenses	\$0.00	
	Supervisor Mileage Expenses	\$0.00	
	Supervisor Meals Expenses	\$0.00	
	Supervisor Lodging Expense	\$0.00	
	Supervisor General Expense	<u>\$0.00</u>	
	Total Supervisor Expenses		\$0.00
Employee Expenses			
	Employee Wages	\$2,225.00	
	Employer Payroll Tax Expenses	\$190.00	
	Employee Mileage Expenses	\$0.00	
	Employee Meals Expense	\$0.00	
	Employee Lodging Expenses	\$0.00	
	Employee General Expenses	<u>\$0.00</u>	
	Total Employee Expenses		\$2,415.00

Other Expenses			
Membership & Dues Expenses		\$50.00	
Contribution Expenses		\$20.00	
Administrative Expenses		\$25.00	
Miscellaneous Expenses		\$25.00	
Total Other Expenses		<u>          </u>	\$120.00
Information & Education Expenses			
Newsletter Expenses		\$25.00	
Contest Expense		\$0.00	
Events Expense		\$0.00	
Awards & Recognition Expense		\$0.00	
Camps/Education Opportunities		\$0.00	
Total Information & Education Expenses		<u>          </u>	\$25.00
Tree Planting Expenses			
Tree Stock Expense		\$1,150.00	
Tree Planting Misc.		\$25.00	
Tree Planting Equip. Repairs		\$0.00	
Total Tree Planting Expenses		<u>          </u>	\$1,175.00
Miscellaneous Expenses			
Depreciation		\$75.00	
Miscellaneous		\$0.00	
Total Miscellaneous Expenses		<u>          </u>	\$75.00
Total Expenses		<u>          </u>	<u>          </u> \$5,055.00

9-8-21  
update



Our vision is to attract and retain customers by offering high-value and sustainable products and solutions to meet evolving government business needs providing accurate information to decision makers, businesses, and property owners.



### INTRODUCTIONS

Transcendent Technologies is a Wisconsin based owner-operated company specializing in government software and technology solutions. We currently provide comprehensive integrated land records, tax management, and general receipting systems for 27 counties and 500+ municipal customers in Wisconsin. Our team is experienced in offering solutions for government.

At Transcendent Technologies, we are committed to building solutions with you that work for you! We strive to develop long-term and meaningful relationships with our customers that result in continuous enhancements to help meet your evolving needs.

Our team of dedicated individuals includes business domain experts, software engineers, and customer support professionals.

### SOFTWARE SOLUTION

**Building Software for South Dakota.** Transcendent Technologies, with cooperation from Patti Guthrie of Software Services Inc, would like to work with you to build a comprehensive tax billing and receipting software solution designed uniquely for South Dakota!

Our solution will include a complete solution for County Treasurer and Auditors Offices. We will provide integration with Director of Equalization CAMA and property data as well as build tools for managing tax billing data and collection, delinquent tax tracking, levy management, growth and CPI, school outlay, TIF and special districts, special assessments, abatement, tax relief programs, omitted tax, motor vehicle and other miscellaneous receipting, integration with financial systems and GIS, all state required forms and exports, and more.....

### PROPOSAL

**We are proposing a long-term relationship.** Transcendent Technologies will build and host a web-based software and data solution specific to South Dakota at no cost to you! Once development is complete, we will provide our data migration services and training also at no cost to you. You would agree to a 10-year annual maintenance and support contract\* with Transcendent Technologies. You would also agree to pay Software Services Inc, for the professional services they provide to Transcendent Technologies and data migration they provide to you. Your annual maintenance with Transcendent Technologies and payment to Software Services Inc, do not apply until go-live.

**Oglala Lakota County: \$3,400**

\*Annual maintenance fees are based on county size. Annual increases are typically 3-4% each per industry standards





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

August 30, 2021

Dear City, County, or Tribal Official:

Enclosed you will find a copy of a public notice recommending the renewal of three solid waste general permits. State law requires that our department notify every municipality, county, and tribal government in the state upon public notice of a proposed general permit. This notice is required regardless of whether you are authorized under a general permit or not. You are not obligated to respond.

The proposed general permits will be issued statewide, and are individually titled as follows:

1. General Permit to Treat Petroleum-Contaminated Soil by Land Application
  - Petroleum-contaminated soil treatment sites are allowed to spread soil contaminated with gasoline, diesel fuel, or fuel oil on the land and then disk or aerate the soil to reduce contamination levels to a permitted level.
2. General Permit for Yard Waste Compost Facilities
  - Yard waste compost facilities are allowed to accumulate grass clippings, leaves and garden waste in piles or windrows which must be composted until the mature compost can be beneficially used or recycled. Compost facilities are also allowed to open burn tree branches and untreated wood wastes.
3. General Permit for Solid Waste Transfer Stations
  - Transfer stations are allowed to collect and temporarily store household garbage, commercial garbage and other waste materials prior to hauling the garbage and waste materials to other permitted solid waste facilities for final disposal.

Please refer to the enclosed public notice for specific information about the proposed permits and the approval process. This recommended action is for the renewal of existing general permits. The proposed general permits do not contain significant changes to the location, design, operating, recordkeeping, and closure requirements already stated in the existing general permits.

Anyone operating a facility already authorized by one of these general permits will continue to operate under the existing general permit until the operator applies for and receives a new authorization.

If you would like to comment on any of the proposed general permits, please write us or contact Kalyndi Martin of the Waste Management Program at (605) 773-3153.

Sincerely,

Jim Wendte, P.E.  
Waste Management Program

Enclosure

**NOTICE OF REISSUANCE OF SOLID WASTE GENERAL PERMITS**  
**Recommendation by the SD Department of Agriculture and Natural Resources**

The South Dakota Department of Agriculture and Natural Resources (department) recommends to the Board of Minerals and Environment (board) that three different general permits be reissued statewide for three different types of solid waste facilities. Solid waste general permits are authorized by South Dakota Codified Law (SDCL) 34A-6-58 and the Administrative Rules of South Dakota (ARSD) Chapter 74:27:10. Owners or operators of solid waste facilities authorized under a general permit must comply with all of the terms and conditions of the applicable general permit. If the owner or operator does not comply with all of the terms and conditions of a general permit, the owner or operator is subject to civil penalties as described in SDCL 34A-6-1.31.

The three general permits recommended for reissuance and their individual titles are as follows:

1. General Permit to Treat Petroleum-Contaminated Soil by Land Application
2. General Permit for Yard Waste Compost Facilities
3. General Permit for Solid Waste Transfer Stations

The proposed general permits are potentially applicable to any operator proposing to operate any of the three facilities described above. The proposed general permits contain: procedures for obtaining coverage under the general permit, location requirements, design requirements, operational requirements, recordkeeping and reporting requirements, compliance requirements, closure requirements, and a financial assurance provision. Prior to obtaining coverage under a general permit, an applicant is required to: (1) publish a notice of intent to operate a solid waste facility in an official newspaper in the county in which the facility is located, and (2) submit a request for authorization to the department. The request for authorization is a detailed account of the site conditions and proposed methods of operation. The general permits outline siting and location restrictions. Minimum separation distances are stipulated for wetlands, surface water, dwellings, drinking water wells, aquifers, floodplains, and property boundaries. Design requirements include acreage limitations, surface water control, fire control, and access control. Operational requirements may include waste handling, waste separation, routine inspections, vector control, open burning requirements, composting requirements, and salvaging. Compliance requirements are stipulated and penalties for violations are outlined. The permits also contain general information and requirements, along with provisions for amendments, revocation, suspensions, and transfers.

In accordance, with SDCL 34A-6-1.14, thirty days after the publication of this notice, the departments recommendation for approval shall become the final decision and the general permits will be issued by the department unless a person adversely affected or having an interest adversely affected by the department's recommendation for approval petitions the board for a contested case hearing. The petition must comply with the requirements of ARSD 74:09:01:01. If a petition for such a hearing is not filed within thirty days of this publication date, the general permits will be formally and finally issued at that time. The general permits will be valid until suspended, revoked, or modified by the board, as specified in SDCL 34A-6-58.

Copies of the proposed general permits are available from the department and may be obtained upon request from: Department of Agriculture and Natural Resources, Waste Management Program, 523 East Capitol Avenue, Pierre, South Dakota, 57501-3182, Attn.: Kalyndi Martin, telephone (605) 773-3153. Copies of the draft general permits are available at <https://danr.sd.gov/Public/>.

A handwritten signature in cursive script, appearing to read "Hunter Roberts", written in black ink. The signature is positioned above a horizontal line.

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Hunter Roberts, Secretary  
Department of Agriculture and Natural Resources

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