

## **OGDALA LAKOTA COUNTY UNAPPROVED MINUTES OF SEPTEMBER 9, 2024**

The Oglala Lakota Board of County Commissioners met in regular session on September 9, 2024. Present: Allyssa Comer, Art Hopkins and Stacy Schmidt, Deputy Auditor. Wendell Yellow Bull was present via telephone. Ramon Bear Runner and Anna Takes the Shield (Dubray) were absent

The meeting was called to order at 1:19 p.m. by Chairwoman Comer. The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Hopkins, seconded by Yellow Bull, to approve the agenda as written.

Motion made by Yellow Bull, seconded by Hopkins, to approve the meeting minutes for August 16, 2024.

Motion made by Yellow Bull, seconded by Hopkins, to surplus the following items to junk as they are outdated and no longer function: Highway Department; 17.3" HP Pavilion laptop computer - asset tag #00388, Toshiba Satellite P205D-S7802 laptop computer – SN 1839811K (no tag), Toshiba Satellite P-100 laptop computer – SN 57018819W (no tag). Election Department; Jabra Engage 75 Wireless Headset – asset tag #00468. No action taken on the Sheriff's Department; Getac Toughbook (laptop) SN RH46380105 (no tag), as it was determined to be working.

Lynx Bettelyoun, Highway Superintendent, met with the Board. He mentioned the review of the letter from Cliff Reuer, SDLTAP Technical Assistance Provider regarding the "North Route" roads. Yellow Bull will work towards setting up a meeting with the Tribal Land Committee and the County.

Motion made by Hopkins, seconded by Yellow Bull, to approve travel for Lynx Bettelyoun, Highway Superintendent and Allyssa Comer, Commission Chairwoman, to attend the 2024 Annual Safety & Loss Control Training Conference November 20 & 21, 2024 in Pierre at a cost of \$75.00 plus lodging for 2 nights and per diem.

Motion made by Hopkins, seconded by Yellow Bull, to accept the Highway Department's monthly report.

Brian Cuny, County resident, met with the Board to ask for an abatement for Ag status for 2023, pay 2024 taxes. Lily Heidebrink, Director of Equalization, was not immediately available for questions. Comer noted that Cuny's request will be tabled until she calls in.

Yellow Bull entered the meeting in person at 2:00 p.m.

Heidebrink was contacted by telephone. She explained that the Director of Equalization Office updates their records periodically and mailings had been sent out to landowners to fill out and return. Yellow Bull explained that the DOE is diligent with correspondence.

Yellow Bull explained that the County will deny Cuny's request for tax reductions due to not meeting the deadline to turn in the ag status paperwork. Who made a motion?

Mark Mesteth, Sheriff, met with the Board to present his monthly report. He has only had 2 applicants for Deputy Sheriff. He requested that Daylon Black Bull be hired as Deputy Sheriff

Motion made by Yellow Bull, seconded by Hopkins, to hire Black Bull at \$25.00/hr, effective 2024.

Mesteth went on to report that, on 8/20/2024, he and State's Attorney Russell met with the OST DPS at the Justice Center in Pine Ridge to discuss cross deputization potential. He recently met with the Law-and-Order Committee and they will be looking into cross deputization and visiting with their lawyers to talk feasibility and legalities. He reported on various calls. He is still going through the inventory of law enforcement equipment.

Motion made by Yellow Bull, seconded by Hopkins, to accept the Sheriff's monthly report.

Jerlene Arredondo, Veteran Service Officer, met with the Board. She is still working on a more detailed report format for a report but hasn't got one done yet. Comer suggested that her report look more like the Sheriff's monthly report. Arredondo then reported on an Expanded Health Pact with the VA.

It was noted that the Board would like to discuss moving the VSO to the Vet's Center in Pine Ridge at the next meeting.

Motion made by Hopkins, seconded by Yellow Bull, to accept the VSO monthly report and place it on file.

Break was taken at 3:24 p.m. The meeting resumed at 3:35 p.m.

Stacy Schmidt, Deputy Auditor, met with the Board.

Motion made by Yellow Bull, seconded by Hopkins, to include the Auditor's Account with the Treasurer for June and July 2024 in the August 16, 2024 meeting minutes. Both were approved, but were inadvertently omitted from those minutes are 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 2024.

**Total Amount of Deposit in First Interstate Bank, HS:      \$      513,096.38**

<b>Total Amount of Cash:</b>	\$	867.10
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<b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>	\$	5,647.59
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## FIRST INTERSTATE SAVINGS

First Interstate, HS:	\$ 3,152,302.85
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**CERTIFICATES OF DEPOSIT:**

Schwab 2 year	\$ 2,121,493.18
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**Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:**

Election Petty Cash: \$ 15.00

**RETURNED CHECKS:**

Deaton, Tyler \$ 110.10

**TOTAL \$ 5,793,532.20**

Dated This 30th Day of June 2024.

/S/ Sue Ganje

Sue Ganje, County  
Auditor of Oglala  
Lakota County

/S/ Teresa Pullen

Teresa Pullen, County  
Treasurer  
of Oglala Lakota County

County Monies	\$ 5,606,931.15
Held for other Entities	\$ 138,472.48
Held in Trust	\$ 48,128.57
<b>TOTAL</b>	<b>\$ 5,793,532.20</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.  
And the following:

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 2024.

**Total Amount of Deposit in First Interstate Bank, HS:** \$ 473,198.17

**Total Amount of Cash:** \$ 6,278.41

**Total Amount of Checks in Treasurer's  
Possession Not Exceeding Three Days:** \$ 645.90

**FIRST INTERSTATE SAVINGS**

First Interstate, HS: \$ 3,255,217.15

**CERTIFICATES OF DEPOSIT:**

Schwab 2 year \$ 2,122,274.10

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

Election Petty Cash: \$ 15.00

**RETURNED CHECKS:**

Deaton, Tyler \$ 110.10

**TOTAL \$ 5,857,738.83**

Dated This 31st Day of July 2024.

/S/ Sue Ganje

Sue Ganje, County  
Auditor of Oglala  
Lakota County

/S/ Teresa Pullen

Teresa Pullen, County Treasurer  
of Oglala Lakota County

County Monies	\$ 5,663,242.31
Held for other Entities	\$ 151,570.18
Held in Trust	\$ 42,926.34
<b>TOTAL</b>	<b>\$ 5,857,738.83</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.

Schmidt also reviewed the new office software costs for 2024 and 2025.

Motion made by Yellow Bull, seconded by Hopkins, to approve accepting the new office software and 2024 and 2025 costs for Fund Accounting - Asyst365 from Central Square; for Payroll and Human Resources – Paylocity; for Revenues (Taxes, Apportionment, Special Assessments, Tax Collections, and Misc receipts) Transcendent Technologies, and Software Services, Inc for program conversions, county liens, set up, and cost shared user and group training.

Lance Russell, State’s Attorney, met with the Board to present the Fall River County Policy to see how they have the Drug Policy written. He handed it out for their review and will come back to the next meeting to discuss.

Russell then informed the Board that he will be bringing a quote for his office to be put on the Zuercher System due to the Sheriff converting to that system.

Motion made by Yellow Bull, seconded by Hopkins, to approve travel for Yellow Bull, Hopkins and Comer to attend the SD Indigenous & Integrative Health Summit, September 24 in Chamberlain including a 1-night stay, mileage and per diem.

Motion made by Yellow Bull, seconded by Hopkins, to approve travel for Yellow Bull, Hopkins, Comer and Sheriff Mesteth to attend the State-Tribal Opioid and Methamphetamine Prevention Summit October 21 and 22, 2024 in Pierre, to include 2-night stay, mileage and per diem.

The Board then reviewed the 2025 Provisional Budget, no changes were made.

Motion made by Yellow Bull, seconded by Hopkins to approve the 2025 Levy Resolution as follows:

Appendix D4: Adopted Budget Levies & Resolution

ANNUAL BUDGET FOR OGLALA LAKOTA COUNTY, SD  
For the Year January 1, 2025 to December 31, 2025

Tax Levy in

**RESOLUTION**

COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
* General County Purposes	345,189.00	5.015
(10-12-9)		
Library		
LIMITED LEVY (10-12-21) -		
SUB TOTAL		
OUTSIDE LIMITED LEVY:	345,189.00	5.015
County Snow Removal Fund		
(34-5-2)		
County Road and Bridge		
(10-12-13)		
Courthouse, Jail, etc., Bldg.		
(7-25-1)		
Bond Interest Sinking		
(7-24-18)		
Ag Building		
(7-27-1)		
UNLIMITED LEVY - SUB TOTAL	-	
LIMITED AND UNLIMITED		
LEVY - SUB-TOTAL	345,189.00	5.015
OTHER SPECIAL LEVIES		

ADOPTION OF ANNUAL BUDGET FOR OGLALA LAKOTA  
County, South Dakota

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

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR OGLALA LAKOTA County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2025 and ending December 31 2025 and the same is hereby approved and adopted by the Board of County Commissioners of Oglala Lakota County, South Dakota, this 9th day of September, 2024.  
The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Oglala Lakota, County, South Dakota. The accompanying taxes are levied by Oglala Lakota County for the year January 1, 2025 through December 31, 2025.

BOARD OF COUNTY COMMISSIONERS OF  
Oglala Lakota County, South Dakota

Anna Takes the Shield (Dubray), Chairwoman  
/S/ Anna Takes the Shield (Dubray)

Secondary Road (Unorg. PT-76)		
(31-12-27)		
Fire Protection (34-31-3)	6,490.00	0.094
<b>TOTAL TAXES LEVIED BY COUNTY</b>	<b>351,679.00</b>	<b>5.109</b>

Allyssa Comer, Commissioner

/S/ Allyssa Comer

Art Hopkins, Commissioner

/S/ Art Hopkins

Ramon Bear Runner, Commissioner

/S/ Ramon Bear Runner

Wendell Yellow Bull, Commissioner

/S/ Wendell Yellow Bull

\* These Amounts include the 25% to be distributed to cities.

ATTEST Sue Ganje Auditor

/S/ Sue Ganje

As of 09/09/2024 these levies are not approved by the Department of Revenue

Motion made by Yellow Bull, seconded by Hopkins, to approve advanced travel for Comer, Hopkins, Takes the Shield and Yellow Bull to attend the 2024 SDACO Conference in Rapid City September 17 & 18, 2024.

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

<b>GENERAL FUND</b>		
ARREDONDO, JERLENE	ADVANCED TRAVEL/REIMB	\$613.88
ARREDONDO, JERLENE	MEETING MILEAGE	\$65.50
BEAR RUNNER, RAMON	MEETING MILEAGE	\$85.15
TAKES THE SHIELD, ANNA	MEETING MILEAGE	\$65.50
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$4,275.00
HOPKINS, ARTHUR L	MEETING MILEAGE	\$138.86
LYNN'S DAKOTA MART	MEETING SNACKS/WATER	\$16.88
LYNN'S DAKOTA MART	INMATE PHARMACY/SUPPLY	\$214.97
MOTOROLA SOLUTIONS INC	EQUIPMENT	\$210.00
QUADIENT FINANCE USA, INC	POSTAGE	\$351.99
RELIANCE STANDARD LIFE	LIFE INSURANCE	\$46.00
SD ASSN OF CO OFFICIALS	24' COUNTY CONVENTION	\$1,200.00
OL COUNTY TREASURER	SALES TAX	\$4.02
SD DEPT OF REVENUE	AUTO/MI REMITTANCE	\$120.00
SOUTHERN HILLS LAW PLLC	CAAF	\$1,088.51
TTECH TRANSCENDENT TECH.	ANNUAL SOFTWARE SUPPORT	\$3,654.00
YELLOW BULL, WENDELL	MEETING MILEAGE	\$85.15
COMER, ALLYSSA	MEETING MILEAGE	\$95.63
OVERPAYMENT	WAGES & BENEFITS	-\$126.42
COMMISSION	WAGES & BENEFITS	\$2,879.63
ST ATTY	WAGES & BENEFITS	\$568.24

VET'S	WAGES & BENEFITS	\$3,769.66
SHERIFF	WAGES & BENEFITS	\$5,412.42
	<b>TOTAL FOR GENERAL FUND</b>	<b>\$24,834.57</b>
<b>COUNTY ROAD &amp; BRIDGE</b>		
CULLIGAN	UTILITY	\$62.55
BUCHER HARDWARE & LUMBER	SUPPLIES	\$37.93
GREAT PLAINS COMMUNICATIONS	LOCAL PHONE & INTERNET	\$221.96
MARTIN AUTO PARTS	PARTS/SUPPLY	\$1,730.54
MCI COMM SERVICE	LONG DISTANCE	\$54.37
RELIANCE STANDARD LIFE	LIFE INSURANCE	\$144.50
OL COUNTY TREASURER	SALES TAX	\$8.64
CRBR ADMIN	WAGES & BENEFITS	\$21,958.11
	<b>TOTAL FOR COUNTY ROAD &amp; BRIDGE</b>	<b>\$24,218.60</b>
	<b>TOTAL FOR BILLS PAID BETWEEN 08-17 AND 09-09-2024</b>	<b>\$49,053.17</b>

Motion made by Yellow Bull, seconded by Hopkins, to adjourn the meeting at 4:27 p.m.

/s/Allyssa Comer  
Allyssa Comer, Chairwoman  
Board of Oglala Lakota County Commissioners

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

**OGLALA LAKOTA COUNTY UNAPPROVED MINUTES OF SEPTEMBER 16, 2024**

The Oglala Lakota Board of County Commissioners met in Special Session on September 16, 2024. Present via telephone: Allyssa Comer, Anna Takes the Shield (Dubray), Wendell Yellow Bull and Sue Ganje, Auditor. Art Hopkins and Ramon Bear Runner were absent.

The meeting was called to order at 3:42 p.m. by Chairwoman Comer. The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to approve the agenda as written.

Motion made by Takes the Shield (Dubray), seconded by Yellow Bull, to approve travel for Mark Mesteth, Sheriff and Daylon Black Bull, Deputy Sheriff to attend the 2024 SD Sheriff's Association Fall Conference in Watertown, SD on October 1 & 2, 2024, with Mesteth attending both days and Black Bull attending the last day.

Motion made by Takes the Shield (Dubray), seconded by Yellow Bull, to approve travel for Mark Mesteth, Sheriff and Daylon Black Bull, Deputy Sheriff to attend the SD Law Enforcement Training in Belle Fourche, SD with lodging for October 8, 2024, and per diem.

Motion made by Takes the Shield (Dubray), seconded by Yellow Bull, to move the meeting in October to Friday, the 11<sup>th</sup> due to the regular meeting day being on Native American Day Holiday.

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to adjourn the meeting at 3:44 p.m.

/s/Allyssa Comer

Allyssa Comer, Chairwoman

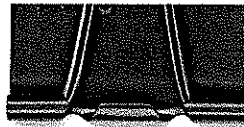
Board of Oglala Lakota County Commissioners

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 August 2024.

**Total Amount of Deposit in First Interstate Bank, HS:** \$ 535,263.66

**Total Amount of Cash:** \$ 813.70

**Total Amount of Checks in Treasurer's  
Possession Not Exceeding Three Days:** \$ 131.40

**FIRST INTERSTATE SAVINGS**

First Interstate, HS: \$ 3,078,930.75

**CERTIFICATES OF DEPOSIT:**

Schwab 2 year \$ 2,123,081.35

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


Election Petty Cash: \$ 15.00

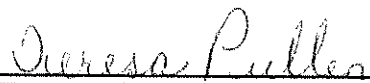
**RETURNED CHECKS:**

Deaton, Tyler \$ 110.10

**TOTAL \$ 5,738,345.96**

Dated This 31st Day of July 2024.

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

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

County Monies	\$ 5,625,064.08
Held for other Entities	\$ 9,375.76
Held in Trust	\$ 103,906.12
<b>TOTAL</b>	<b>\$ 5,738,345.96</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.

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 September 2024.

**Total Amount of Deposit in First Interstate Bank, HS:** \$ 421,572.67

**Total Amount of Cash:** \$ 502.30

**Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:** \$ 70.00

**FIRST INTERSTATE SAVINGS**

First Interstate, HS: \$ 3,185,350.53

**CERTIFICATES OF DEPOSIT:**

Schwab 2 year \$ 2,123,888.90

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

Election Petty Cash: \$ 15.00

**RETURNED CHECKS:**

Deaton, Tyler \$ 110.10

**TOTAL \$ 5,731,509.50**

Dated This 30th Day of September 2024.

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Sue Ganje, County  
Auditor of Oglala  
Lakota County

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Teresa Pullen, County Treasurer  
of Oglala Lakota County

County Monies \$ 5,623,227.12  
Held for other Entities \$ 14,843.44  
Held in Trust \$ 93,438.94  
**TOTAL \$ 5,731,509.50**

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 Resolution #2024-\_\_\_\_\_**

**Adoption of Oglala Sioux Tribe and Oglala Lakota County 2024 Hazard Mitigation Plan**

**Whereas**, the Federal Disaster Mitigation Act of 2000 was signed into law on October 20, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

**Whereas**, Oglala Lakota County recognizes the threat that natural hazards pose to people and property within our community and identifying the hazards that affect the County and prioritize mitigation strategies and undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

**Whereas**, Oglala Lakota County resides within the Planning Area and fully participated in the mitigation planning process to prepare this Hazard Mitigation Plan and the South Dakota Department of Public Safety's Office of Homeland Security and Federal Emergency Management Agency, Region VIII officials have reviewed the Oglala Sioux Tribe and Oglala Lakota County Hazard Mitigation Plan and approved it contingent upon this official adoption of the participating governing body; and

**Now, therefore, be it resolved**, the Oglala Lakota County Commission hereby adopts the Oglala Sioux Tribe and Oglala Lakota County Hazard Mitigation Plan as an official plan; and

**Be it further resolved**, Oglala Lakota County Emergency Management will submit this Adoption Resolution to the South Dakota Department of Public Safety's Office of Homeland Security and Federal Emergency Management Agency Region VIII officials to enable the Plan's final approval.

Passed and Approved this \_\_\_\_\_ day of October 2024.

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Allyssa Comer, Chairwoman  
Oglala Lakota County Commission

ATTEST:

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Sue Ganje, Oglala Lakota County Auditor



# Oglala Lakota County Sheriff's Office

906 N. River Street  
Hot Springs South Dakota 57747  
Phone: 605-891-5819



3.2475

Date	Mileage	Gallons	License Plate	Signature
<del>8-1-24</del>	<del>526</del>	<del>22.1</del>	<del>CO12594</del>	<del>Am. [Signature]</del>
<del>8-5-24</del>	<del>988</del>	<del>23.8</del>	<del>CO12594</del>	<del>Am. [Signature]</del>
<del>8-6-24</del>	<del>1485</del>	<del>24.1</del>	<del>CO12594</del>	<del>Am. [Signature]</del>
8-8-24	1982	24.4	CO12594	Am. [Signature]
8-13-24	2319	17.4	CO12594	Am. [Signature]
8-15-24	2672	17.1	CO12594	Am. [Signature]
8-20-24	3081	21.0	CO12594	Am. [Signature]
		79.9	X 3.2475	= \$259.48

} On previous form.



906 N. River Street  
Hot Springs South Dakota 57747  
Phone: 605-891-5819

Hot Springs South Dakota 57747

Phone: 605-891-5819

[illegible]

**STATE OF SOUTH DAKOTA  
JOINT POWERS  
FINANCIAL AND MAINTENANCE AGREEMENT  
BETWEEN  
DEPARTMENT OF TRANSPORTATION  
AND  
Oglala Lakota COUNTY**

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and Oglala Lakota County, South Dakota, referred to in this Agreement as the "COUNTY."

**1. JOINT POWERS**

This Agreement does not establish a separate legal entity, as contemplated by SDCL 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by the COUNTY and the STATE. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. No real property will be purchased for use for this Agreement.

**2. BACKGROUND**

The STATE and the COUNTY concur in the construction of a Federal Aid Construction Project in the Roadway Safety Improvement Category, listed in the Department of Transportation Statewide Transportation Improvement Program in Oglala Lakota County, South Dakota, as follows:

Signing & Delineation - Gravel Roads

**THE STATE AND COUNTY MUTUALLY AGREE UPON THE FOLLOWING:**

**3. STATE PROJECT**

The STATE and the COUNTY concur in the proposal for the Sign and Delineation project identified as Roadway Safety Improvement Project Number PH 8057(05) PCN 09YL, located on various COUNTY roads in Oglala Lakota County, referred to in this Agreement as the "PROJECT."

**4. CONTRACT PROCUREMENT**

- A. The STATE will design, advertise, let to contract, and be the contracting party for the PROJECT.
- B. The STATE will obtain the required environmental clearances for the PROJECT.
- C. The STATE will provide construction engineering including construction supervision and inspection.

**5. COUNTY RESPONSIBILITY**

- A. Once the PROJECT is completed, the COUNTY will have the sole obligation and responsibility for maintaining, repairing, and replacing all traffic control devices on all highways and for all bridges identified in the attached **Exhibit A**. In addition, the COUNTY will maintain, repair, and replace all street name signs installed on any part of the PROJECT outside of municipal boundaries, regardless of whether or not the signs were installed on highways and bridges identified in the attached **Exhibit A**. The COUNTY will perform all maintenance, repair, and replacement work in conformance with the most recent version of the Manual on Uniform Traffic Control Devices (MUTCD) as of the date the work is performed.

- B. The COUNTY will use the following method(s) for maintaining sign retroreflectivity in conformance with the MUTCD: (check all that apply)

- ☐ Visual Nighttime Inspection
- ☐ Measured Sign Retroreflectivity
- ☐ Expected Sign Life Method
- ☐ Blanket Replacement Method
- ☐ Control Sign Method

These methods can be found at the following website address:

[http://safety.fhwa.dot.gov/roadway\\_dept/night\\_visib/retrotoolkit/moreinfo/intro/index.htm](http://safety.fhwa.dot.gov/roadway_dept/night_visib/retrotoolkit/moreinfo/intro/index.htm).

- C. If the COUNTY terminates or breaches this Agreement, the COUNTY will be one hundred percent (100%) responsible for all costs incurred to construct the PROJECT to date of termination or breach, including but not limited to design engineering, construction engineering, and material costs. The COUNTY will pay all PROJECT costs to the STATE within thirty (30) days of receipt of a billing from the STATE.

#### **6. FINANCIAL RESPONSIBILITY**

The STATE will pay One Hundred Percent (100%) of the actual cost for the PROJECT with Federal Section 154/164 Funds, subject to the provisions of Section 4.C.

#### **7. INDEMNIFICATION**

The COUNTY will indemnify the STATE, its officers, agents, and employees against any and all actions, suits, damages, liability, or other proceedings that may arise as the result of performing services under this Agreement. This section does not require the COUNTY to be responsible for or defend against claims or damages arising from errors or omissions of the STATE, its officers, agents, or employees.

#### **8. RECORDS RETENTION AND AUDIT**

- A. All PROJECT charges will be subject to audit in accordance with the STATE'S current procedures and United States Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200 Subpart F. The CFDA Number for these funds is 20.205. Allowable costs will be determined in accordance with 2 CFR Part 200.
- B. Upon reasonable notice, the COUNTY will allow the STATE or U.S. Department of Transportation representatives to examine all records of the COUNTY related to this Agreement during the COUNTY'S normal business hours. The COUNTY will keep all records for a period of three (3) years after the date of final payment is made by the STATE under this Agreement and all other pending matters are closed.
- C. If the COUNTY expends Seven Hundred Fifty Thousand Dollars (\$750,000.00) or more in federal funds during any COUNTY fiscal year covered, in whole or in part, under this Agreement, then the COUNTY will be subject to the single agency audit requirements of the U.S. Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200 Subpart F. If the COUNTY expends less than Seven Hundred Fifty Thousand Dollars (\$750,000.00) in federal funds during any COUNTY fiscal year, the STATE may perform a more limited program or performance audit related to the completion of Agreement objectives, the allowability of services or costs and adherence to Agreement provisions.

## **9. AMENDMENT**

This Agreement may not be amended except in writing, which writing will be expressly identified as a part of this Agreement and be signed by an authorized representative of each of the parties.

## **10. TERMINATION**

Either party may terminate this Agreement by giving thirty (30) days' written notice to the other party. If the COUNTY breaches any of the terms or conditions of this Agreement, this Agreement may be terminated by the STATE at any time with or without notice. The COUNTY'S obligation, to repay all PROJECT costs to the STATE pursuant to Section 4.C. of this Agreement, will survive the COUNTY'S termination of this Agreement and the STATE'S termination of this Agreement for breach by the COUNTY.

## **11. EMPLOYEE STATUS**

Any officer, employee, or agent engaged in joint action under this Agreement will remain an employee of his or her employer during participation in joint action under this Agreement. Each party will retain exclusive responsibility for its officers, agents, and employees while these officers, agents, and employees are engaged in joint action under this Agreement, including but not limited to responsibility for regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance, or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

## **12. CERTIFICATION OF NO PROHIBITED STATE LEGISLATOR INTEREST:**

COUNTY (i) understands neither a state legislator nor a business in which a state legislator has an ownership interest may be directly or indirectly interested in any contract with the State that was authorized by any law passed during the term for which that legislator was elected, or within one year thereafter, and (ii) has read South Dakota Constitution Article 3, Section 12 and has had the opportunity to seek independent legal advice on the applicability of that provision to this Agreement. By signing this Agreement, COUNTY hereby certifies that this Agreement is not made in violation of the South Dakota Constitution Article 3, Section 12.

## **13. SIGNATURE AUTHORITY**

The COUNTY has designated its County Commission Chairperson as the COUNTY'S authorized representative and has empowered the Chairperson with the authority to sign this Agreement on behalf of the COUNTY. A copy of the COUNTY'S Commission or Council minutes or resolution authorizing the execution of this Agreement by the Chairperson as the COUNTY'S authorized representative is attached to this Agreement as **Exhibit B**.

[SIGNATURE PAGE FOLLOWS]



This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into same.

Oglala Lakota County, South Dakota

State of South Dakota  
Department of Transportation

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

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

Printed Name: \_\_\_\_\_

Printed Name: Joel M. Jundt

Its: County Commission Chairperson

Its: Department Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_

Printed Name: \_\_\_\_\_

County Auditor/Clerk

(COUNTY SEAL)

OGLALA LAKOTA COUNTY  
HWY-DEPT REPORT

DATE: 9-4 — 10-3-2024

Blading

DATE	ROAD #	DRIVER(s)
9-4	16	SAM
9-5	7	SAM
9-9	2	SAM
9-10	16, 2	SAM
9-11	16A, 2	SAM
9-18	16	SAM, Kelly
9-19	4	SAM
9-23	Bateol	SAM
9-29	Bateol	LYNX
	Reshaping Ditches	
9-12	6	SAM
9-16	6	SAM
9-17	6	SAM
9-23	6	SAM
	Road #6 Project	
9-24 — 10-3	6	SAM, Kelly, LYNX

OGLALA LAKOTA COUNTY  
HWY-DEPT REPORT

DATE: 9-4 — 10-3, 2024

Mowing

DATE	ROAD #	DRIVER(s)
9-4	16, 2, 7	Doreen
9-6	7	Doreen
9-9	27	Doreen
9-10	16A	Doreen
9-12	16A, 27, 6	Doreen
9-13	7	Doreen
9-17	27, 6, 7	Kelly
9-18	16	Kelly
9-24	7	Doreen
9-26	4	Doreen
9-27	7	Doreen
9-30	4	Doreen
10-1	9, 25	Doreen
10-2	9, 4	Doreen

# OG LALA LAKOTA COUNTY HWY-DEPT REPORT

DATE: 9-4 - 10-3, 2024

[illegible]

OGLALA LAKOTA COUNTY  
HWY-DEPT REPORT

9-4 — 10-3-2024

DATE	ROAD#	TONS	DRIVER
9-4	16	240	Kelly, Lynx
9-5	2	90	Kelly
9-9	2	60	Kelly
9-10	16	90	Kelly, Lynx
9-10	2	30	Kelly
9-10	16A	60	Lynx
9-11	16A	120	Kelly, Lynx
9-11	4	30	Kelly
9-11	2	30	Lynx
9-16	16	30	Kelly
9-16	16A	30	Kelly
9-16	4	30	Kelly
9-19	Bate oi	30	Kelly
9-19	4	60	Kelly



## Oglala Lakota County Sheriff's Office

906 N. River Street  
Hot Springs South Dakota 57747  
Phone: 605-891-5819



### September 2024 Monthly Report:

- Request Health Insurance.
- MOU Public Safety.
- MOU OST Courts.
- Ignition switches for both side by sides.
- Bernardo Rodriguez request.

#### Meetings:

9-4-24 Law & Order Meeting, Justice Center.  
9-4-24 Meeting with OSTDPS Acting Chief John Pettigrew.  
9-9-24 Commissioners Meeting Fall River.  
9-17-24 Superintendent, O.L.C.S. & Lakota Tech Principal

#### Calls for service:

9-5-24 Jack Black Feather Stolen Vehicle follow up completed, referral to OSTDPS.  
9-5-24 Kristina King Incident with Koltin Ecoffey follow-up completed.  
9-6-24 Dakota Shoop arrest.  
9-9-24 Crystal Center Incident.  
9-10-24 OSTDPS referral protection Order violation between native female and non-native male from Colorado. Made aware while DPS and I ATL Suspect, no contact  
9-15-24 Dispatched P.W. Casino for Domestic between male/female, gun involved. Referred to OSTDPS.  
9-18-24 Tom Two Bulls Assault, Follow up with DPS on non-native involvement.

#### Community Policing:

9-16-24 Visitation w/ Batesland and Lakota Tech schools.  
9-17-24 Officer presence Lakota Tech Volleyball game w/Bennet Co.  
9-19-24 Officer presence Lakota Tech Volleyball game w/Red Cloud.

#### Court Process Service:

9-5-24 Served 3 Federal Subpoenas Kyle Area.  
9-12-24 Sent 12 court papers to tribal court for tribal court for service.

Miles traveled and Gallons used For September 2024:



CO 12594:

Starting Mileage: 4,293 Ending Mileage: 7959 Total: 3,666

CO 12572:

Starting Mileage:

Credit Card Spending:

9-17-24	Oil Change, Pine Ridge Oil	\$93.75
9-26-24	Slug Shotgun shells for qualification	\$30.97
9-26-24	Buckshot shells for qualifications	\$10.99
9-26-24	Car wash to install decals on CO 12572	\$19.11
9-26-24	Car wash to install decal on CO 12594	\$19.11
9-26-24	Sharps Common Cents Gas	\$59.00
9-26-24	Dakotaland Autoglass windshield replacement	\$350.00

Sheriff, Oglala Lakota County

OGLALA LAKOTA COUNTY VSO

MONTHLY ACTIVITY REPORT Sept 2024

OFFICE VISITS APPOINTMENTS 4 WALK-INS 56 PHONE 2 TOTAL 62

DEATHS TRIBAL MEMBERS 3 NON-TRIBAL MEMBERS \_\_\_\_\_

VETERANS ADMINISTRATION

NEW CLAIMS 3 (PERSON 3 PHONE \_\_\_\_\_)

EXISTING CLAIMS 31 (PERSON 26 PHONE 5 )

NEW MEDICAL ENROLLMENT 2

DD214 REQUESTS 7 (OFFICE 7 OTHER \_\_\_\_\_)

HOME LOAN 1 VA STATE HOME \_\_\_\_\_ OTHER 5

SD STATE BENEFITS

VETERANS/ACTIVE DUTY BONUS \_\_\_\_\_ BURIAL BENEFITS 2 EDUCATION 1

HEADSTONE/SET UP 2 RECORDS/OTHER 2 STATE PARKS \_\_\_\_\_

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

TRIBAL

TRIBAL VETERANS FLAG \_\_\_\_\_

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

PUBLIC OUTREACH

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

OTHER attended RC-Veteran Stand Down 9-19-24  
JOHNNEDONDO



**Funding Request**  
**Alpha One Fire & Rescue**  
**Fire Protection / Oglala Lakota County**

				Notes/Funding Status
<b>SOURCES OF SUPPORT</b>				
Fundraiser		\$12,535		3 Vehicle Raffles
In-kind contributions		\$5,019		Volunteer Hours 239
Donations		\$15,000		Foundation/Private Donors
<b>TOTAL SOURCES</b>		<b>\$ 32,554</b>	<b>\$ -</b>	
<b>EXPENSES</b>		<b>Price</b>	<b>Our Contribution</b>	<b>Funding Requested from OLC</b>
Type 4 Fire Apparatus		\$33,250	\$9,800	\$23,450
500' 1" Inch Hose			\$1,945.00	\$0
Outfitting			\$11,987	\$0
Transporation - Davis CA			\$1,120	\$0
Vehicle Training		\$300		\$300
Vehicle Certification		\$1,400		\$1,400
<b>TOTALS</b>		<b>\$ 34,950</b>	<b>\$ 24,852</b>	<b>\$25,150</b>

OGLALA LAKOTA COUNTY OPIOID MONEY

2024		2023		2022
2/28/2024	\$2,803.34 CVS	1/24/2023	\$7,548.20 Wilmington Trust	12/28/2022 \$7,182.26 Wilmington Trust
2/28/2024	\$8,435.45 Walmart	5/5/2023	\$1,266.37 Wilmington Trust	
2/28/2024	\$2,520.51 Allergan	11/21/2023	\$1,489.85 Wilmington Trust	
2/28/2024	\$2,170.94 Walgreens			
2/28/2024	\$3,288.96 Walgreens			
2/28/2024	\$2,277.92 Teva			
3/6/2024	\$7,548.20 Wilmington Trust			
3/6/2024	\$13,443.39 Wilmington Trust			
3/26/2024	\$4,158.36 Wilmington Trust			
6/11/2024	\$13,763.10 Milwaukee Direct			
6/25/2024	\$7,411.93 Wilmington Trust			
7/31/2024	\$2,522.17 Allergan			
7/31/2024	\$2,234.97 CVS			
7/31/2024	\$2,279.62 Teva			
7/31/2024	\$9,447.64 Wilmington Trust			
	\$84,306.50		\$10,304.42	\$7,182.26
				\$101,793.18

# Exhibit A

## Approved Uses

### PART ONE: TREATMENT

#### A. TREAT OPIOID USE DISORDER (OUD)

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including FDA-approved Medication-Assisted Treatment (MAT).
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs ("OTPs") to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD and family members and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.

10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("DATA 2000") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication– Assisted Treatment.

**B. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED  
(INTERVENTION)**

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients

on post-discharge planning, including community referrals for MAT, recovery case management or support services.

7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

### **C. SUPPORT PEOPLE IN TREATMENT AND RECOVERY AND REDUCE STIGMA**

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.

11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

#### **D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS**

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
  - a) Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative ("PAARI");
  - b) Active outreach strategies such as the Drug Abuse Response Team ("DART") model;
  - c) "Naloxone Plus" strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
  - d) Officer prevention strategies, such as the Law Enforcement Assisted Diversion ("LEAD") model;
  - e) Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
  - f) Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions ("CTI"), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

#### **E. ADDRESS THE NEEDS OF WOMEN WHO ARE OR MAY BECOME PREGNANT**

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.



5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and childcare services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

## **PART TWO: PREVENTION**

### **F. PREVENT OVER-PRESCRIBING AND ENSURE PROPER PRESCRIBING OF OPIOIDS**

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.

5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("PDMPs"), including, but not limited to, improvements that:
  - a) Increase the number of prescribers using PDMPs;
  - b) Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
  - c) Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increasing electronic prescribing to prevent diversion or forgery.
8. Educating dispensers on appropriate opioid dispensing.

#### **G. PREVENT MISUSE OF OPIOIDS**

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration ("SAMHSA").

7. Engaging non-profits and faith-based communities as systems to support prevention.
8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

#### **H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)**

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.

5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

## **PART THREE: OTHER STRATEGIES**

### **I. FIRST RESPONDERS**

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

## **J. LEADERSHIP, PLANNING AND COORDINATION**

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

## **K. TRAINING**

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

## **L. RESEARCH**

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.

3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g., Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring ("ADAM") system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.



Auditor Office <aud@frcounty.org>

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## HB1057 - indigent defense allocation by county

1 message

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**Kristie Jacobsen** <kris@sdcountycommissioners.org>

Fri, Sep 20, 2024 at 12:14 PM

To: "Aaron Eberle (auditor.assistant@frcounty.org)" <auditor.assistant@frcounty.org>, Allison Tunheim-Brown County <Allison.Tunheim@browncounty.sd.gov>, Bruce Outka <boutka@lawrence.sd.us>, Gary Vetter <gary@co.yankton.sd.us>, Grant Commission Asst <karen.layher@grantcountysd.us>, Holli Hennies <hollih@co.pennington.sd.us>, Hughes County Manager <Lori.Jacobson@co.hughes.sd.us>, "Jarchow, Meredith" <mjarchow@minnehahacounty.gov>, Joan Martin-Pennington County <joan.martin@pennco.org>, Moody Commission Asst <martys@moodycounty.net>, Paul Anderson-Lincoln County <panderson@lincolncountysd.org>, Rhea Crane <rcrane@meadeconomy.org>, Stacy Steffensen <ssteffensen@brookingscountysd.gov>, Steve Rasmussen-Lincoln County <sasmussen@lincolncountysd.org>, "Sue Ganje - Fall River & Oglala Lakota Counties (sue.ganje@state.sd.us)" <sue.ganje@state.sd.us>, Tom Greco <tgrec@minnehahacounty.gov>, Traci Humphrey--Lincoln County <thumphrey@lincolncountysd.org>

Good afternoon,

Here is how the \$3 Million additional funds were allocated by county for indigent defense: (HB1057)

County	Court-Appointed Attorney & Public Defender Offices Gross Expenditures	Abused & Neglected Children Gross Expenditures	Total Gross Expenditures	Total Funds Allocated
Aurora	\$ 19,157.32	\$ 7,690.25	\$ 26,847.57	\$ 3,179.76
Beadle	\$ 45,101.43	\$ 15,076.40	\$ 60,177.83	\$ 7,127.32
Bennett	\$ 134,805.85	\$ 5,590.11	\$ 140,395.96	\$ 16,628.17
Bon Homme	\$ 113,582.48	\$ 4,305.13	\$ 117,887.61	\$ 13,952.33
Brookings	\$ 530,822.09	\$ 37,375.10	\$ 568,197.19	\$ 67,295.93
Brown	\$ 791,575.76	\$ 27,215.14	\$ 818,790.90	\$ 96,975.66
Brule	\$ 144,855.41	\$ 27,781.16	\$ 172,636.57	\$ 20,446.67
Buffalo	\$ 21,059.53	\$ 0	\$ 21,059.53	\$ 2,494.24
Butte	\$ 242,968.83	\$ 14,639.97	\$ 257,608.80	\$ 30,510.58
Campbell	\$ 19,285.44	\$ 0	\$ 19,285.44	\$ 2,284.12
Charles Mix	\$ 310,128.69	\$ 48,761.63	\$ 358,890.32	\$ 42,506.12
Clark	\$ 31,487.44	\$ 0	\$ 31,487.44	\$ 3,729.30
Clay	\$ 182,086.52	\$ 4,029.00	\$ 186,115.52	\$ 22,043.08
Codington	\$ 1,120,073.00	\$ 0	\$ 1,120,073.00	\$ 132,658.80
Corson	\$ 46,743.12	\$ 518.94	\$ 47,262.06	\$ 5,597.61
Custer	\$ 107,208.55	\$ 5,684.40	\$ 112,892.95	\$ 13,370.77
Davison	\$ 504,297.13	\$ 7,868.47	\$ 512,165.60	\$ 60,659.68
Day	\$ 98,661.45	\$ 500.00	\$ 99,161.45	\$ 11,744.45
Deuel	\$ 21,167.34	\$ 0	\$ 21,167.34	\$ 2,507.01
Dewey	\$ 8,100.28	\$ 0	\$ 8,100.28	\$ 959.38
Douglas	\$ 16,839.90	\$ 0	\$ 16,839.90	\$ 1,994.48
Edmunds	\$ 14,262.89	\$ 0	\$ 14,262.89	\$ 1,689.26
Fall River	\$ 284,010.07	\$ 21,562.81	\$ 305,572.88	\$ 36,191.33
Faulk	\$ 8,968.20	\$ 0	\$ 8,968.20	\$ 1,062.17
Grant	\$ 65,948.39	\$ 7,586.15	\$ 73,534.54	\$ 8,709.26
Gregory	\$ 72,286.73	\$ 0	\$ 72,286.73	\$ 8,561.47
Haskell	\$ 22,609.73	\$ 0	\$ 22,609.73	\$ 2,677.84
Hamlin	\$ 48,668.43	\$ 0	\$ 48,668.43	\$ 5,764.17
Hand	\$ 17,362.10	\$ 849.40	\$ 18,211.50	\$ 2,156.93
Hanson	\$ 60,133.00	\$ 0	\$ 60,133.00	\$ 7,122.01
Harding	\$ 2,623.07	\$ 0	\$ 2,623.07	\$ 310.67
Hughes	\$ 819,428.92	\$ 0	\$ 819,428.92	\$ 97,051.22
Hutchinson	\$ 45,722.96	\$ 256.80	\$ 45,979.76	\$ 5,445.73
Hyde	\$ 6,475.05	\$ 0	\$ 6,475.05	\$ 766.89
Jackson	\$ 80,998.38	\$ 4,843.53	\$ 85,841.91	\$ 10,166.91
Jerauld	\$ 14,012.38	\$ 1,719.26	\$ 15,731.64	\$ 1,863.22
Jones	\$ 36,610.08	\$ 0	\$ 36,610.08	\$ 4,396.01
Kingsbury	\$ 13,298.07	\$ 0	\$ 13,298.07	\$ 1,574.99
Lake	\$ 263,670.06	\$ 18,731.08	\$ 282,401.14	\$ 33,446.92
Lawrence	\$ 581,484.85	\$ 44,412.29	\$ 625,897.14	\$ 74,129.78
Lincoln	\$ 1,476,865.58	\$ 53,118.80	\$ 1,529,984.38	\$ 181,207.73
Lyman	\$ 79,288.36	\$ 0	\$ 79,288.36	\$ 9,390.73
Marshall	\$ 36,227.25	\$ 392.90	\$ 36,620.15	\$ 4,337.20
McCook	\$ 185,792.64	\$ 15,592.66	\$ 201,385.30	\$ 23,851.60
McPherson	\$ 13,224.28	\$ 0	\$ 13,224.28	\$ 1,566.25
Meade	\$ 525,339.76	\$ 20,288.11	\$ 545,627.87	\$ 64,622.88
Melleota	\$ 73,588.43	\$ 0	\$ 73,588.43	\$ 8,715.64
Miner	\$ 16,846.80	\$ 833.50	\$ 17,680.30	\$ 2,094.01
Minnehaha	\$ 7,237,860.72	\$ 483,683.74	\$ 7,721,544.46	\$ 914,521.47
Moody	\$ 174,044.89	\$ 11,472.31	\$ 185,517.20	\$ 21,972.22
Ogala Lakota	\$ 3,145.84	\$ 0	\$ 3,145.84	\$ 372.59
Pennington	\$ 5,467,690.65	\$ 461,394.00	\$ 5,929,084.65	\$ 702,226.77
Perkins	\$ 24,319.99	\$ 651.10	\$ 24,971.09	\$ 2,957.52
Potter	\$ 17,641.57	\$ 0	\$ 17,641.57	\$ 2,089.43
Roberts	\$ 459,563.01	\$ 0	\$ 459,563.01	\$ 54,429.56
Sanborn	\$ 19,851.55	\$ 0	\$ 19,851.55	\$ 2,351.17
Spink	\$ 83,601.25	\$ 12,222.77	\$ 95,824.02	\$ 11,349.05
Stanley	\$ 88,652.08	\$ 0	\$ 88,652.08	\$ 10,602.56



Sully	\$ 10,772.63	\$ 6,800.51	\$ 17,573.14	\$ 2,081.32
Todd	\$ 4,281.19	\$0	\$ 4,281.19	\$ 507.05
Tripp	\$ 53,603.97	\$ 1,346.79	\$ 54,950.76	\$ 6,508.24
Turner	\$ 125,783.02	\$0	\$ 125,783.02	\$ 14,897.44
Union	\$ 250,293.26	\$0	\$ 250,293.26	\$ 29,644.14
Walworth	\$ 83,211.81	\$ 22,897.42	\$ 106,109.23	\$ 12,567.33
Yankton	\$ 410,137.06	\$ 20,109.19	\$ 430,246.25	\$ 50,957.35
Ziebach	\$ 10,777.88	\$0	\$ 10,777.88	\$ 1,276.51
<b>Totals</b>	<b>\$23,911,985.39</b>	<b>\$1,417,800.82</b>	<b>\$25,329,786.21</b>	<b>\$3,000,000.00</b>

Have a great weekend,

*Kris Jacobsen*

Executive Director

South Dakota Association of County Commissioners

South Dakota Association of County Officials

211 E Prospect Avenue

Pierre, SD 57501

Cell: (605) 295-0713



## 2024 South Dakota Legislature

**House Bill 1057****ENROLLED**

## AN ACT

**ENTITLED An Act to create the Commission on Indigent Legal Services and Office of Indigent Legal Services, to make an appropriation for reimbursing county indigent legal services, and to declare an emergency.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1. That a NEW SECTION be added to title 23A:**

The terms used in this chapter mean:

- (1) "Attorney," a person licensed to practice law in this state as provided in chapter 16-16, with active membership and in good standing of the State Bar of South Dakota;
- (2) "Chief defender," the attorney appointed by the commission to head the Office of Indigent Legal Services;
- (3) "Commission," the Commission of Indigent Legal Services;
- (4) "Effective assistance of counsel," legal defense services in a criminal case that comply with the standards required by state and federal law;
- (5) "Indigent," a person who does not have sufficient money, credit, or property to employ an attorney and pay for the necessary expenses of representation;
- (6) "Indigent representation services," legal defense services provided by an attorney to an indigent person where there is a right to counsel under state or federal law;
- (7) "Office of Indigent Legal Services," or "office," a state government entity that provides direct indigent representation services and implements the objectives of the commission;
- (8) "Private appointed attorney," an attorney who is not employed by the government and who provides indigent representation services; and
- (9) "Public defender," an attorney employed by the government who provides indigent representation services.

**Section 2. That a NEW SECTION be added to title 23A:**

There is hereby created the Commission on Indigent Legal Services. The commission shall oversee indigent representation services in South Dakota to ensure the effective assistance of counsel where there is a right to counsel under state or federal law.

**Section 3. That a NEW SECTION be added to title 23A:**

The Commission on Indigent Legal Services consists of nine members appointed as follows:

- (1) Three members, not less than two of which are attorneys licensed in South Dakota, appointed by the Governor, that have significant experience in criminal proceedings or a demonstrated commitment to indigent defense, one initially appointed for a term of four years, one initially appointed for a term of three years, and one initially appointed for a term of two years;
- (2) Three members, not less than two of which are attorneys licensed in South Dakota, appointed by the chief justice of the Supreme Court, that have experience in criminal proceedings or a demonstrated commitment to indigent defense, one initially appointed for a term of four years, one initially appointed for a term of three years, and one initially appointed for a term of two years;
- (3) One member appointed by the president pro tempore of the Senate, initially appointed for a term of three years;
- (4) One member appointed by the speaker of the House of Representatives, initially appointed for a term of three years; and
- (5) One member appointed by the executive director of the South Dakota Association of County Commissioners, initially appointed for a term of two years.

Thereafter, each appointment shall serve for a term of four years. Members may be reappointed for successive four-year terms, but may not serve for more than twelve years.

The commission shall organize and elect a chairperson at its first meeting. The commission shall hold meetings at the call of the chairperson, or at the request of a majority of its members. No current law enforcement official or prosecutor may serve as a member of the commission. Only one actively serving judge, one private appointed attorney, and one public defender may serve on the commission, and these members may not serve as the chairperson.

**Section 4. That a NEW SECTION be added to title 23A:**

The commission may remove a member for good cause by a two-thirds vote of the commission. The appointing authority that made the initial appointment shall appoint a member to fill the vacancy for the length of the unexpired term.

**Section 5. That a NEW SECTION be added to title 23A:**

No commission member may receive compensation for services on the commission. A member shall receive per diem as provided by § 4-7-10.4 and travel expenses for attending commission meetings.

**Section 6. That a NEW SECTION be added to title 23A:**

The commission shall oversee indigent representation services to ensure effective assistance of counsel in the state court system where there is a right to counsel under state or federal law. The commission shall:

- (1) Appoint a chief defender to head the Office of Indigent Legal Services, as provided in section 9 of this Act;
- (2) Explore mechanisms for the state to ensure adequate funding for indigent representation services statewide, including state and local governments sharing the cost of such services;
- (3) Advocate for resources and policies necessary to ensure effective indigent representation services statewide; and
- (4) Promulgate rules pursuant to chapter 1-26 to:
  - (a) Establish minimum training standards, maximum caseloads allowed, and procedures to reassign conflict cases;
  - (b) Monitor, evaluate, and enforce compliance with the standards established in subsection (4)(a);
  - (c) Establish hourly rates and travel reimbursement rates for attorneys appointed or contracted by the Office of Indigent Legal Services that are comparable to those paid to other attorneys for similar case types;
  - (d) Provide auditing and monitoring of billings for private appointed attorneys and vendor compensation to standardize compensation rates established in subsection (4)(c); and
  - (e) Provide for the collection of data from state and local systems to inform the oversight duties of the commission.

**Section 7. That a NEW SECTION be added to title 23A:**

There is hereby created the Office of Indigent Legal Services. The office shall provide indigent representation services and shall oversee indigent representation services in the state courts to ensure the effective assistance of counsel where there is a right to counsel under state or federal law.

**Section 8. That a NEW SECTION be added to title 23A:**

The Office of Indigent Legal Services shall provide statewide indigent representation services in direct appeals in criminal cases, habeas corpus appeals, and abuse or neglect of a child appeal cases. The office may expand its scope of indigent representation services to include additional case types as approved by the commission. The office shall determine the method of delivering indigent representation services by utilizing public defenders, private appointed attorneys, or a combination of both. The office may contract with private appointed attorneys to deliver indigent representation and shall provide oversight and review of any contracted attorneys.

**Section 9. That a NEW SECTION be added to title 23A:**

The commission shall appoint a chief defender by a majority vote. The chief defender shall head and maintain the Office of Indigent Legal Services. The chief defender shall serve for a term of four years. The commission may reappoint the chief defender to successive terms of four years. There are no term limits. The commission may remove the chief defender during an unexpired term by a two-thirds vote of the commission.

**Section 10. That a NEW SECTION be added to title 23A:**

The chief defender must be an attorney with the following qualifications:

- (1) Experience in indigent representation services in criminal cases;
- (2) Commitment to ensuring effective assistance of counsel to all the indigent people of the state; and
- (3) Demonstrated experience or potential in management, budget, and the state legislative process.

The chief defender may not engage in the private practice of law.

**Section 11. That a NEW SECTION be added to title 23A:**

The chief defender may:

- (1) Hire or contract for attorney, professional, technical, and support personnel;

- (2) Establish an administrative office within the Office of Indigent Legal Services;
- (3) Exercise supervisory authority over all employees of the office;
- (4) Assist the commission in the development of standards related to indigent representation services;
- (5) Monitor, evaluate, and enforce compliance with standards adopted by the commission;
- (6) Develop strategic plans, and conduct research and studies, to inform the objectives of the commission;
- (7) Develop strategic plans to expand the office's scope of providing indigent representation to include additional case types;
- (8) Establish branch public defender offices;
- (9) Provide training and support to indigent defense attorneys statewide; and
- (10) Perform other duties as may be prescribed by the commission.

**Section 12. That a NEW SECTION be added to title 23A:**

The Commission on Indigent Legal Services and Office of Indigent Legal Services is attached to the Unified Judicial System for budgetary purposes only.

**Section 13. That a NEW SECTION be added to title 23A:**

The Commission on Indigent Legal Services is subject to chapter 1-26. The commission shall serve a copy of a proposed rule and any publication described in § 1-26-6.6 upon the chair of the commission to which it is attached for the chair's written approval to proceed. After receiving the written approval of the chair, the commission shall serve the director of the Legislative Research Council and the commissioner of the Bureau of Finance and Management as required pursuant to subdivision 1-26-4(2).

**Section 14. That a NEW SECTION be added to title 23A:**

The Office of Indigent Legal Services may enter into joint powers agreements pursuant to chapter 1-24 with state agencies for administrative support, accounting, payroll, and personnel services.

**Section 15.** There is hereby appropriated from the general fund the sum of \$3,000,000 to the Commission on Indigent Legal Services to reimburse the cost of indigent legal services to counties.

**Section 16.** The Commission on Indigent Legal Services shall distribute the moneys described in section 15 of this Act to the counties based on the following formula. The commission shall, within sixty days of the end of the fiscal year, determine and verify from receipts and expenditure records the total expenditures by all counties for court appointed attorneys and public defender offices. The commission shall then establish a percentage ratio of the total expenditures by counties for court appointed attorneys and public defender offices. The commission shall apply that percentage ratio to each county's gross expenditure for court appointed attorneys and public defender offices to determine its respective payment.

**Section 17.** The chief defender of the Office of Indigent Legal Services shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

**Section 18.** Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

**Section 19.** Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to create the Commission on Indigent Legal Services and Office of Indigent Legal Services, to make an appropriation for reimbursing county indigent legal services, and to declare an emergency.

I certify that the attached Act originated in the:

House as Bill No. 1057

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_,

2024 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 2024

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2024  
at \_\_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1057  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State





**DEPARTMENT OF EXECUTIVE MANAGEMENT  
BUREAU OF FINANCE AND MANAGEMENT**

500 East Capitol Ave. • Pierre, South Dakota 57501-5007 • Voice: (605) 773-3411 • Fax: (605) 773-4711

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**M E M O R A N D U M**

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**TO:** Department Secretaries; Bureau Commissioners; Legislative, Judicial, and Constitutional Officers; Institution Superintendents; and University Presidents

**FROM:** Morgan Gruebele, Chief Budget Analyst  
Bureau of Finance and Management

**SUBJECT:** Travel Reimbursement Rates for FY2025

**DATE:** April 16, 2024

Due to the passage of HB 1060 during the 2024 Legislative Session, various travel reimbursement rates will increase on July 1, 2024, including the mileage reimbursement rate, in-state lodging reimbursement rate, and Highway Patrol daily meal allowance rate. By streamlining these rates with federal standards, the state's travel reimbursement rates will be more reflective of the actual costs of travel. Each October 1, the mileage rate and in-state lodging reimbursement rate will update to align with the rates set by the federal government.

**A. MILEAGE REIMBURSEMENT**

Effective July 1, 2024, the mileage reimbursement rate will increase to be consistent with the mileage reimbursement rate for business set by the Internal Revenue Service (IRS), or \$0.655 per mile. If a state employee elects to use a personal vehicle for state business but an Office of Fleet and Travel Management pool vehicle is available, the mileage reimbursement rate will be set at 45% of the rate set by the IRS, or \$0.295 per mile.

**B. IN-STATE LODGING**

Effective July 1, 2024, the maximum in-state lodging reimbursement rate will increase to be consistent with the actual cost of in-state lodging, not to exceed the rate set by the General Service Administration (GSA). The standard rate of \$107 per night will apply to travel in all counties in South Dakota, except for those specifically listed by the GSA. The lodging reimbursement rate for out-of-state and out-of-country travel will not change from the current rate of \$175 per night, with an additional \$100 available with excess lodging approval.

Primary Destination	County	Maximum Lodging Rate
Standard Rate	Applies for all locations without specified rates	\$107
Deadwood/Spearfish	Lawrence	October – May: \$107 June – September: \$157
Hot Springs	Fall River/Custer	October – May: \$107 June – September: \$152
Rapid City	Pennington	October – May: \$107 June – August: \$169 September: \$107

# Travel Reimbursement Rates

Effective July 1, 2024

## Mileage Reimbursement

SDCL 3-9

Type	Rate	Comments
High Mileage	\$0.655/mile	Personal vehicle is used AND state motor pool vehicle is not available.
Low Mileage	\$0.295/mile	Personal vehicle is used AND state motor pool vehicle is available.
Special Needs Mileage	\$0.85/mile	Large personal vehicle is used (ex. Van, truck, SUV).
Special Needs Mileage	\$0.655/mile	Personal vehicle is used.

## In-State Travel Reimbursement

### *In-State Lodging*

SDCL 3-9-2

Primary Destination	County	Maximum Lodging Rate + Taxes and Mandatory Fees
Standard Rate	Applies for all locations without specified rate	\$107
Deadwood/Spearfish	Lawrence	October – May: \$107; June – September: \$157
Hot Springs	Fall River/Custer	October – May: \$107; June – September: \$152
Rapid City	Pennington	October – May: \$107; June – August: \$169; September: \$107

### *In-State Meals*

ARSD 05:01:02:14

Meal	Amount	Leave Before	Arrive After
Breakfast	\$6	5:31 AM	7:59 AM
Lunch	\$14	11:31 AM	12:59 PM
Dinner	\$20	5:31 PM	7:59 PM
Daily Maximum	\$40		

## Out-of-State Travel Reimbursement

ARSD 05:01:02:11

Lodging	\$175 + tax	Additional \$100 available with excess lodging approval.
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Meal	Amount	Leave Before	Arrive After
Breakfast	\$10	5:31 AM	7:59 AM
Lunch	\$18	11:31 AM	12:59 PM
Dinner	\$28	5:31 PM	7:59 PM
Daily Maximum	\$56		

## Out-of-Country Travel Reimbursement

ARSD 05:01:02:10:01

Lodging	\$175 + tax	Additional \$100 available with excess lodging approval.
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Meal	Amount	Leave Before	Arrive After
Breakfast	\$10	5:31 AM	7:59 AM
Lunch	\$21	11:31 AM	12:59 PM
Dinner	\$29	5:31 PM	7:59 PM
Daily Maximum	\$60		

**OGLALA LAKOTA COUNTY RESOLUTION #2024-\_\_\_\_**

WHEREAS, Oglala Lakota County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.655 per mile; \$0.295 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$40.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$56.00 Total

**Lodging In-state:**

Up to \$169.00 plus tax a day from check-in

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective July 1, 2024.

Passed and approved this 11<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Allyssa Comer, Chair  
Oglala Lakota Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Sue Ganje  
Fall River County Auditor



**DEPARTMENT OF EXECUTIVE MANAGEMENT  
BUREAU OF FINANCE AND MANAGEMENT**

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**M E M O R A N D U M**

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**TO:** Department Secretaries; Bureau Commissioners; Legislative, Judicial, and Constitutional Officers; Institution Superintendents; and University Presidents

**FROM:** Morgan Gruebele, Chief Budget Analyst  
Bureau of Finance and Management

**SUBJECT:** Travel Reimbursement Rates for FY2025 – Effective October 1, 2024

**DATE:** September 20, 2024

As outlined in HB 1060 during the 2024 Legislative Session, the mileage rate and the in-state lodging reimbursement rate will be updated to align with the rates set by the federal government.

**A. MILEAGE REIMBURSEMENT**

Effective October 1, 2024, the mileage reimbursement rate will increase to be consistent with the mileage reimbursement rate for business set by the Internal Revenue Service (IRS), or \$0.67 per mile. If a state employee elects to use a personal vehicle for state business but an Office of Fleet and Travel Management pool vehicle is available, the mileage reimbursement rate will be set at 45% of the rate set by the IRS, or \$0.302 per mile.

**B. IN-STATE LODGING**

Effective October 1, 2024, the maximum in-state lodging reimbursement rate will increase to be consistent with the actual cost of in-state lodging, not to exceed the rate set by the General Service Administration (GSA). The standard rate of \$110 per night will apply to travel in all counties in South Dakota, except for those specifically listed by the GSA. The lodging reimbursement rate for out-of-state and out-of-country travel will not change from the current rate of \$175 per night, with an additional \$100 available with excess lodging approval.

Primary Destination	County	Maximum Lodging Rate
Standard Rate	Applies for all locations without specified rates	\$110
Deadwood/Spearfish	Lawrence	October: \$140 November – April: \$110 May – September: \$140
Hot Springs	Fall River/Custer	October – May: \$110 June – September: \$161
Rapid City	Pennington	October – May: \$110 June – August: \$158 September: \$110

If you have any questions regarding how these changes will impact your agency, please contact your assigned budget analyst.

Morgan Gruebele, BFM Chief Budget Analyst  
cc: University Business Managers, Fiscal Officers

# Travel Reimbursement Rates

Effective October 1, 2024

## Mileage Reimbursement

SDCL 3-9

Type	Rate	Comments
High Mileage	\$0.67/mile	Personal vehicle is used AND state motor pool vehicle is not available.
Low Mileage	\$0.302/mile	Personal vehicle is used AND state motor pool vehicle is available.
Special Needs Mileage	\$0.871/mile	Large personal vehicle is used (ex. Van, truck, SUV).
Special Needs Mileage	\$0.67/mile	Personal vehicle is used.

## In-State Travel Reimbursement

### *In-State Lodging*

SDCL 3-9-2

Primary Destination	County	Maximum Lodging Rate + Taxes and Mandatory Fees
Standard Rate	Applies for all locations without specified rate	\$110
Deadwood/Spearfish	Lawrence	October: \$140; November – April: \$110; May – September: \$140
Hot Springs	Fall River/Custer	October – May: \$110; June – September: \$161
Rapid City	Pennington	October – May: \$110; June – August: \$158; September: \$110

### *In-State Meals*

ARSD 05:01:02:14

Meal	Amount	Leave Before	Arrive After
Breakfast	\$6	5:31 AM	7:59 AM
Lunch	\$14	11:31 AM	12:59 PM
Dinner	\$20	5:31 PM	7:59 PM
Daily Maximum	\$40		

## Out-of-State Travel Reimbursement

ARSD 05:01:02:11

Lodging	\$175 + tax	Additional \$100 available with excess lodging approval.
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Meal	Amount	Leave Before	Arrive After
Breakfast	\$10	5:31 AM	7:59 AM
Lunch	\$18	11:31 AM	12:59 PM
Dinner	\$28	5:31 PM	7:59 PM
Daily Maximum	\$56		

## Out-of-Country Travel Reimbursement

ARSD 05:01:02:10.01

Lodging	\$175 + tax	Additional \$100 available with excess lodging approval.
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Meal	Amount	Leave Before	Arrive After
Breakfast	\$10	5:31 AM	7:59 AM
Lunch	\$21	11:31 AM	12:59 PM
Dinner	\$29	5:31 PM	7:59 PM
Daily Maximum	\$60		

**OGLALA LAKOTA COUNTY RESOLUTION #2024-\_\_\_\_**

WHEREAS, Oglala Lakota County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

**Mileage:** \$0.67 per mile; \$0.302 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

**In-state meal rates of:**

\$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$40.00 Total

**Out-of-state meal rates of:**

\$10.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;  
\$18.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;  
\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;  
\$56.00 Total

**Lodging In-state:**

Up to \$169.00 plus tax a day from check-in

**Lodging Out-of-state:**

\$175.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective October 1, 2024.

Passed and approved this 11<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Allyssa Comer, Chair  
Oglala Lakota Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Sue Ganje  
Fall River County Auditor