

## **SHANNON COUNTY MINUTES OF FEBRUARY 10, 2012**

The Shannon Board of County Commissioners met in special session on February 10, 2012. Present: Wendell Yellow Bull, Lyla Hutchison, Deloris Hagman, and Auditor Sue Ganje. Absent: Bryan Kehn and Eugenio White Hawk.

The Pledge of Allegiance was given and the meeting called to order at 12:10 p.m.

Agenda was reviewed for conflicts; none were indicated.

Motion by Hutchison, seconded by Hagman, to approve the agenda. With no further discussion and all voting yes, the motion carried.

Bryan Kehn entered the meeting at 12:12 p.m.

The Board discussed options for commissioner redistricting versus changing to commissioners elected at large. New commissioner district boundaries were reviewed and corresponding new precinct boundaries. Discussion was held on how to best notify voters of the changes, including the use of KILI Radio and the CAP offices.

Eugenio White Hawk entered the meeting at 12:23 p.m.

Motion by Kehn, seconded by White Hawk to approve the second reading of Ordinance #2012-01 as follows. With no further discussion and all voting yes, the motion carried.

### **SHANNON COUNTY ORDINANCE #2012-01**

#### **AN ORDINANCE OF THE SHANNON COUNTY DISTRICTS**

#### **BE IT ORDAINED BY THE SHANNON COUNTY COMMISSIONERS DISTRICTS 1,2,3,4 AND 5:**

The County shall be divided into five districts and said districts shall be designated respectively as Districts One, Two, Three, Four and Five. Any reference to street or avenue below shall mean an imaginary line running down the approximate middle of each street or avenue. The districts of Shannon County are set forth below and the map thereof. Any discrepancies shall be resolved by reference to the map, attached and incorporated herein by reference, rather than the physical descriptions set forth herein.

#### **District #1:**

- Beginning at the SE corner of Section 36, Twp 37, Rg 41
- thence north along the county line to NE corner of Section 25, Twp 39, Rg 41
- thence west along the north line of Section 25, Twp 39, Rg 41 to the intersection with the Medicine Root Tribal District eastern boundary
- thence northerly along the Medicine Root Tribal District boundary to Chockcherry Dr
- thence northerly along Chockcherry Dr to BIA 401
- thence northerly along BIA 401 to the intersection with the north line of Section 11, Twp 39, Rg 41
- thence westerly along the section line to the intersection of BIA 2
- thence westerly along BIA 2 to BIA 27

- thence northwesterly along BIA 27 to the intersection with the north line of section 33, Twp 40, Rg 43
- thence west along the north line of section 33, Twp 40, Rg 43 to the NW corner of sect 33, Twp 40, Rg 43
- thence south along the section line to the SE corner of section 32, Twp 37, Rg 43
- thence west along the section line to the NW corner of Section 1, Twp 36, Rg 44
- thence south along the section line to the SW corner of section 13, Twp 36, Rg 44,
- thence east along the section line to the intersection with Tribal Route 123, thence east along Tribal Route 123 to intersection with BIA 27
- thence northerly along BIA 27 to the intersection with the north line of section 3, Twp 36, Rg 43
- thence easterly along the section line to the point of beginning.

**District #2:**

- Beginning at the SW corner of Section 33, Twp 37, Rg 48
- thence northerly along the county boundary to the NW corner of section 33, Twp 39, Rg 48
- thence easterly along the section line to the NE corner of section 36, Twp 39, Rg 45
- thence southerly along the section line to the SW corner of the NW1/4 of section 19, Twp 38, Rg 44
- thence easterly along the quarter section line to the intersection with BIA 33,
- thence southerly along BIA 33 to the intersection with BIA 28,
- thence southerly along BIA 28 to the intersection with the eastern line of section 17, Twp 37, Rg 43
- thence southerly along the section line to the SE corner of section 32, Twp 37, Rg 43
- thence west along the section line to the intersection with the dirt road continuing from the end of BIA 38,
- thence southerly along said road to BIA 38,
- thence southerly along BIA 38 to US Highway 18,
- thence westerly along US Highway 18 to intersection with the north line of section 6, Twp 36, Rg 45
- thence westerly along the section line to the point of beginning.

**District #3:**

- Beginning at the NE corner of Section 25, Twp 39, Rg 41
- thence west along the north line of Section 25, Twp 39, Rg 41 to the intersection with the Medicine Root Tribal District eastern boundary,
- thence northerly along the Medicine Root Tribal District boundary to Chockcherry Dr,
- thence northerly along Chockcherry Dr to BIA 401,
- thence northerly along BIA 401 to the intersection with the north line of Section 11, Twp 39, Rg 41
- thence westerly along the section line to the intersection of BIA 2,
- thence westerly along BIA 2 to BIA 27,
- thence northwesterly along BIA 27 to the intersection with the north line of section 33, Twp 40, Rg 43,

- thence west along the north line of section 33, Twp 40, Rg 43 to the NW corner of sect 33, Twp 40, Rg 43
- thence south along the section line to the intersection of BIA 28
- thence northwesterly along BIA 28 to the intersection with BIA 33,
- thence northerly along BIA 33 to the intersection of the east-west quarter line of section 24, Twp 38, Rg 44,
- thence westerly along the quarter line to the SW corner of the NW1/4 of section 19, Twp 38, Rg 44
- thence northerly along the section line to the NE corner of section 36, Twp 39, Rg 45
- thence westerly along the section line to the county boundary,
- thence northerly along the county boundary to the NW corner of section 23, Twp 43, Rg 47 ,
- thence easterly along the county boundary to the NE corner of section 13, Twp 43, Rg 41,
- thence southerly along the county boundary to the point of beginning.

**District #4:**

- Beginning at the SW corner of the County, thence north along the section line to the NW corner of Section 5, Twp 36, Rg 48,
- thence easterly along the section line to the intersection with US Highway 18,
- thence southerly along US Highway 18 to the intersection with BIA 38,
- thence northeasterly along BIA 38,
- thence northeasterly along the dirt road continuing from the end of BIA 38 to the intersection with the north line of section 3, Twp 36, Rg 45,
- thence easterly along the section line to the intersection with BIA 33,
- thence southerly along BIA 33 to US Highway 18,
- thence southerly along US Highway 18 to North Ridge Lp,
- thence easterly along North Ridge Lp to Santee St,
- thence Easterly along Santee St to Prairie View Ave,
- thence southerly along Prairie View Ave to Sitting Bull Rd,
- thence easterly and then southerly along Sitting Bull Rd to US Highway 18,
- thence westerly along US Highway 18 to Cherokee Ave,
- thence southerly along Cherokee Ave to Dakota Ave,
- thence westerly along Dakota Ave to Crazy Horse Loop,
- thence southerly along Crazy Horse Loop to Sage St,
- thence westerly along Sage St to Arapahoe Ave,
- thence southerly along Arapahoe Ave to Cottonwood St,
- thence southeasterly along Cottonwood St to the end of Cottonwood St,
- thence southerly along the unnamed dirt road running from Cottonwood St to Fraggie Rock Rd,
- thence westerly along Fraggie Rock Rd to Highway 407,
- thence southerly along Highway 407 to the south county boundary,
- thence westerly along the county boundary to the point of beginning.

**District #5:**

- Beginning at the SE corner of Shannon County,

- thence northerly along the county boundary to the NE corner of section 1, Twp 36, Rg 41,
- thence westerly along the section line to the intersection with BIA 27,
- thence southerly along BIA 27 to Tribal Route 123,
- thence westerly along Tribal Route 123 to the NW corner of section 19, Twp 36, Rg 43,
- thence westerly along the section line to the SW corner of section 13, Twp 36, Rg 44,
- thence northerly along the section line to the NW corner of Section 1, Twp 36, Rg 44,
- thence westerly along the section line to BIA 33,
- thence southerly along BIA 33 to US Highway 18,
- thence southerly along US Highway 18 to North Ridge Lp,
- thence easterly along North Ridge Lp to Santee St,
- thence Easterly along Santee St to Prairie View Ave,
- thence southerly along Prairie View Ave to Sitting Bull Rd,
- thence easterly and then southerly along Sitting Bull Rd to US Highway 18, thence westerly along US Highway 18 to Cherokee Ave,
- thence southerly along Cherokee Ave to Dakota Ave,
- thence westerly along Dakota Ave to Crazy Horse Loop,
- thence southerly along Crazy Horse Loop to Sage St,
- thence westerly along Sage St to Arapahoe Ave,
- thence southerly along Arapahoe Ave to Cottonwood St,
- thence southeasterly along Cottonwood St to the end of Cottonwood St,
- thence southerly along the unnamed dirt road running from Cottonwood St to Fraggie Rock Rd,
- thence westerly along Fraggie Rock Rd to Highway 407,
- thence southerly along Highway 407 to the south county boundary,
- thence easterly along the county boundary to the point of beginning.

Dated this 10<sup>th</sup> day of February, 2012.

SEAL

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor

1<sup>st</sup> Reading: 2/3/2012

2<sup>nd</sup> Reading: 2/10/2012

Published: 2/15/12

Effective: 3/16/2012

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Shannon County Board of Commissioners

/s/ Deloris Hagman

Deloris Hagman, Commissioner

/s/ Lyla Hutchison

Lyla Hutchison, Commissioner

/s/ Bryan Kehn

Bryan Kehn, Commissioner

/s/ Eugenio White Hawk

Eugenio White Hawk, Commissioner

Motion by Hagman, seconded by White Hawk, to approve the following resolution defining precinct boundaries. With no further discussion and all voting yes, the motion carried.

**SHANNON COUNTY RESOLUTION #2012-04**

WHEREAS, the Shannon County Board of Commissioners are required by SDCL 7-8-10, 7-8-11 and 7-8-12 to establish boundaries for commissioner districts that shall be as regular and compact in form as practicable and contain as near as possible an equal number of residents as determined by the last preceding federal decennial census; and

WHEREAS, the 2010 Census figures require that the boundaries of commissioner districts must be altered to be in compliance with said SDCLs; and

WHEREAS, Shannon County Ordinance #2012-01, adopted on the 10<sup>th</sup> day of February, 2012, provided for new boundaries of commissioner districts which divide the population into equitable districts; and

WHEREAS, the newly redistricted commissioner districts necessitate redefining precinct boundaries to be representative of population and geographic areas within the confines of the districts:

NOW THEREFORE, BE IT RESOLVED, that the Shannon County Commissioners have adopted this day the following legal descriptions for precinct boundaries in Shannon County:

Porcupine Precinct:

- Beginning at the SE corner of Section 36, Twp 37, Rg 41
- thence north along the county line to NE corner of Section 25, Twp 39, Rg 41
- thence west along the north line of Section 25, Twp 39, Rg 41 to the intersection with the Medicine Root Tribal District eastern boundary
- thence northerly along the Medicine Root Tribal District boundary to Chockcherry Dr
- thence northerly along Chockcherry Dr to BIA 401
- thence northerly along BIA 401 to the intersection with the north line of Section 11, Twp 39, Rg 41
- thence westerly along the section line to the intersection of BIA 2
- thence westerly along BIA 2 to BIA 27
- thence northwesterly along BIA 27 to the intersection with the north line of Section 33, Twp 40, Rg 43
- thence west along the north line of section 33, Twp 40, Rg 43 to the NW corner of Section 33, Twp 40, Rg 43
- thence south along the section line to the SE corner of Section 32, Twp 37, Rg 43
- thence west along the section line to the NW corner of Section 1, Twp 36, Rg 44
- thence south along the section line to the SW corner of Section 13, Twp 36, Rg 44,
- thence east along the section line to the intersection with Tribal Route 123, thence east along Tribal Route 123 to intersection with BIA 27
- thence northerly along BIA 27 to the intersection with the north line of Section 3, Twp 36, Rg 43
- thence easterly along the section line to the point of beginning.

Oglala Precinct:

- Beginning at the SW corner of Section 33, Twp 37, Rg 48
- thence northerly along the county boundary to the NW corner of Section 33, Twp 39, Rg 48
- thence easterly along the section line to the NE corner of Section 36, Twp 39, Rg 45

- thence southerly along the section line to the SW corner of Section 31, Twp 37, Rg 44
- thence west along the section line to the intersection with the dirt road continuing from the end of BIA 38,
- thence southerly along said road to BIA 38,
- thence southerly along BIA 38 to US Highway 18,
- thence westerly along US Highway 18 to intersection with the north line of Section 6, Twp 36, Rg 45
- thence westerly along the section line to the point of beginning.

Manderson Precinct:

- Beginning at the SW corner of the NW  $\frac{1}{4}$  of Section 19, Twp 38, Rg 44
- thence easterly along the quarter section line to the intersection with BIA 33,
- thence southerly along BIA 33 to the intersection with BIA 28,
- thence southerly along BIA 28 to the intersection with the eastern line of Section 17, Twp 37, Rg 43
- thence southerly along the section line to the SE corner of Section 32, Twp 37, Rg 43
- thence westerly along the section line to the SW corner of Section 31, Twp 37, Rg 44
- thence northerly along the section line to the point of beginning.

Kyle Precinct:

- Beginning at the NE corner of Section 25, Twp 39, Rg 41
- thence west along the north line of Section 25, Twp 39, Rg 41 to the intersection with the Medicine Root Tribal District eastern boundary,
- thence northerly along the Medicine Root Tribal District boundary to Chockcherry Dr,
- thence northerly along Chockcherry Dr to BIA 401,
- thence northerly along BIA 401 to the intersection with the north line of Section 11, Twp 39, Rg 41
- thence westerly along the section line to the intersection of BIA 2,
- thence westerly along BIA 2 to BIA 27,
- thence northwesterly along BIA 27 to the intersection with the north line of Section 33, Twp 40, Rg 43,
- thence west along the north line of Section 33, Twp 40, Rg 43 to the NW corner of Section 33, Twp 40, Rg 43
- thence northerly along the section line to the NW corner of Section 4, Twp 40, Rg 43,
- thence easterly along the section line to the SW corner of Section 36, Twp 41, Rg 43,
- thence northerly along the section line to the north county boundary,
- thence easterly along the county boundary to the NE corner of the county,
- thence southerly along the county boundary to the point of beginning.

Rockyford Precinct:

- Beginning at NW corner of Section 33, Twp 40, Rg 43
- thence south along the section line to the intersection of BIA 28
- thence northwesterly along BIA 28 to the intersection with BIA 33,
- thence northerly along BIA 33 to the intersection of the east-west quarter line of Section 24, Twp 38, Rg 44,

- thence westerly along the quarter line to the SW corner of the NW  $\frac{1}{4}$  of Section 19, Twp 38, Rg 44
- thence northerly along the section line to the NW corner of Section 30, Twp 40, Rg 44
- thence easterly along the section line to the SW corner of Section 23, Twp 40, Rg 44
- thence northerly along the section line to the NW corner of Section 2, Twp 40, Rg 44
- thence easterly along the section line to the SW corner of Section 31, Twp 41, Rg 43
- thence northerly along the section line to the county boundary
- thence easterly along the county boundary to the NW corner of Section 24, Twp 43, Rg 43,
- thence southerly along the section line to the point of beginning.

Cuny Table Precinct:

- Beginning at the NE corner of Section 36, Twp 39, Rg 45
- thence westerly along the section line to the county boundary,
- thence northerly along the county boundary to the NW corner of the county,
- thence easterly along the county boundary to the NW corner of Section 19, Twp 43, Rg 43
- thence southerly along the section line to the SW corner of Section 31, Twp 41, Rg 43
- thence westerly along the section line to the NW corner of Section 2, Twp 40, Rg 44
- thence southerly along the section line to the SW corner of Section 23, Twp 40, Rg 44
- thence westerly along the section line to the NW corner of Section 30, Twp 40, Rg 44,
- thence southerly along the section line to the point of beginning.

Pine Ridge #3 Precinct:

- Beginning at the SW corner of the County, thence north along the section line to the NW corner of Section 5, Twp 36, Rg 48,
- thence easterly along the section line to the intersection with US Highway 18,
- thence southerly along US Highway 18 to the intersection with BIA 38,
- thence northeasterly along BIA 38,
- thence northeasterly along the dirt road continuing from the end of BIA 38 to the intersection with the north line of Section 3, Twp 36, Rg 45,
- thence easterly along the section line to the intersection with BIA 33,
- thence southerly along BIA 33 to US Highway 18,
- thence southerly along US Highway 18 to North Ridge Lp,
- thence easterly along North Ridge Lp to Santee St,
- thence Easterly along Santee St to Prairie View Ave,
- thence southerly along Prairie View Ave to Sitting Bull Rd,
- thence easterly and then southerly along Sitting Bull Rd to US Highway 18,
- thence westerly along US Highway 18 to Cherokee Ave,
- thence southerly along Cherokee Ave to Dakota Ave,
- thence westerly along Dakota Ave to Crazy Horse Loop,
- thence southerly along Crazy Horse Loop to Sage St,
- thence westerly along Sage St to Arapahoe Ave,
- thence southerly along Arapahoe Ave to Cottonwood St,
- thence southeasterly along Cottonwood St to the end of Cottonwood St,
- thence southerly along the unnamed dirt road running from Cottonwood St to Fraggie Rock Rd,

- thence westerly along Fraggie Rock Rd to Highway 407,
- thence southerly along Highway 407 to the south county boundary,
- thence westerly along the county boundary to the point of beginning.

Batesland Precinct:

- Beginning at the SE corner of Shannon County,
- thence northerly along the county boundary to the NE corner of Section 1, Twp 36, Rg 41,
- thence westerly along the section line to the intersection with BIA 27,
- thence southerly along BIA 27 to Tribal Route 123,
- thence westerly along Tribal Route 123 to the NW corner of Section 19, Twp 36, Rg 43,
- thence southerly along the section line to the county boundary,
- thence easterly along the county boundary to the point of beginning.

Pine Ridge #1 Precinct:

- Beginning at the NW corner of Section 19, Twp 36, Rg 43,
- thence westerly along the section line to the SW corner of Section 13, Twp 36, Rg 44,
- thence northerly along the section line to the NW corner of Section 1, Twp 36, Rg 44,
- thence westerly along the section line to BIA 33,
- thence southerly along BIA 33 to US Highway 18,
- thence southerly along US Highway 18 to North Ridge Lp,
- thence easterly along North Ridge Lp to Santee St,
- thence Easterly along Santee St to Prairie View Ave,
- thence southerly along Prairie View Ave to Sitting Bull Rd,
- thence easterly and then southerly along Sitting Bull Rd to US Highway 18, thence westerly along US Highway 18 to Cherokee Ave,
- thence southerly along Cherokee Ave to Dakota Ave,
- thence westerly along Dakota Ave to Crazy Horse Loop,
- thence southerly along Crazy Horse Loop to Sage St,
- thence westerly along Sage St to Arapahoe Ave,
- thence southerly along Arapahoe Ave to Cottonwood St,
- thence southeasterly along Cottonwood St to the end of Cottonwood St,
- thence southerly along the unnamed dirt road running from Cottonwood St to Fraggie Rock Rd,
- thence westerly along Fraggie Rock Rd to Highway 407,
- thence southerly along Highway 407 to the south county boundary,
- thence easterly along the county boundary to the SW corner of Section 24, Twp 35, Rg 44
- thence northerly along the section line to the point of beginning.

Dated this 10<sup>th</sup> day of February, 2012.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Shannon County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor



A break was taken at 1:37 p.m. The meeting resumed at 1:47 p.m. Motion by Hutchison, seconded by Hagman, to enter into Executive Session with attorney Sara Frankenstein to discuss legal matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:48 p.m.

The Board came out of Executive Session at 2:38 p.m.

Motion by Hagman, seconded by Kehn, to authorize Sara Frankenstein to continue litigation as directed in Executive Session. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by White Hawk, to approve the following bills. With no further discussion and all voting yes, the motion carried.

**GENERAL FUND**

CENTURY BUSINESS	COPIER	\$70.58
HAGMAN, DELORIS	TRAVEL	\$35.52
KEHN, BRYAN	TRAVEL	\$66.60
STATE TREASURER	MI	\$240.00
WHITE HAWK, EUGENIO	TRAVEL	\$69.56
YELLOW BULL, WENDELL	TRAVEL	\$47.36
HUTCHISON, LYLA	TRAVEL	\$59.20
	<b>GENERAL FUND TOTAL</b>	<b>\$588.82</b>

**ROAD & BRIDGE**

GREAT WESTERN TIRE INC.	REPAIR	\$723.82
LACREEK ELECTRIC ASSOC	UTILITY	\$547.14
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$1,270.96</b>

**GRAND TOTAL** **\$1,859.78**

Motion by Hutchison, seconded by Hagman, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:40 p.m.

/s/ Wendell Yellow Bull  
Wendell Yellow Bull, Chairman  
Board of Shannon County Commissioners

ATTEST:

/s/ Sue Ganje  
Sue Ganje, Shannon County Auditor