

**SHANNON COUNTY MINUTES OF MARCH 2, 2012**

The Shannon Board of County Commissioners met in regular session on March 2, 2012. Present: Wendell Yellow Bull, Lyla Hutchison, Bryan Kehn and Auditor Sue Ganje. Absent: Deloris Hagman and Eugenio White Hawk.

The Pledge of Allegiance was given and the meeting called to order at 12:25 p.m.

Agenda was reviewed for conflicts; none were indicated.

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

Motion by Hutchison, seconded by Kehn, to approve the minutes of the February 3 and February 10, 2012 meetings. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, to approve the Auditor's Account with the Treasurer. All voting yes, the motion carried.

**TO THE HONORABLE BOARD OF SHANNON 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 29<sup>th</sup> day of February, 2012.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST -	\$ <u>          0</u>
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK -	\$ <u>  1,392.24</u>
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANK, HS -	\$ <u>  8,656.32</u>
TOTAL AMOUNT OF ACTUAL CASH -	\$ <u>  1,968.85</u>
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS -	\$ <u>  3,332.26</u>
MONEY MARKET SAVINGS:     BANK OF THE WEST -	\$ <u>          0</u>
WELLS FARGO BANK -	\$ <u>  1,141.02</u>
FIRST INTERSTATE BANK, Hot Springs -	\$ <u>208,840.39</u>
CERTIFICATES OF DEPOSIT-FIRST INTERSTATE BANK, Hot Springs -	\$ <u>250,000.00</u>

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

Sheriff Change fund:	\$200.00		
Election Petty Cash:	\$15.00		
<b>RETURNED CHECKS:</b>			
BLACK FEATHER, DAVID -	\$75.00, LIC	LONE HILL, TRINA -	\$20.70, LIC
BLETHEN, RENE -	\$48.25, LIC	MESTETH, PERRY -	\$63.00, LIC
BREWER, ARLENE -	\$54.00, LIC	MORRISON, NADINE -	\$15.00, LIC
BROWN, VICTORIA -	\$128.15, LIC	OLD HORSE, JOHN -	\$15.00, LIC
BURGESS, DAVID -	\$335.00, LIC	ONE FEATHER, DELMAR -	\$40.00, LIC
BURGESS, JEANNE -	\$45.00, LIC	PARTON, JOY -	\$32.00, LIC
GARNETT, AQUALYNE -	\$64.00, LIC	POURIER, JOEL -	\$349.00, LIC
GOINGS, TANYA L. -	\$71.00, LIC	RED CLOUD, JOHN -	\$45.90, LIC
JANIS, JENNIFER -	\$90.50, LIC	ROSS, WILLIAM -	\$53.00, LIC
LITTLE HAWK, JOLENE -	\$32.40, LIC		

**TOTAL - \$477,122.98**

DATED THIS 29<sup>TH</sup> DAY OF FEBRUARY, 2012  
/S/Sue Ganje, Auditor  
SUE GANJE, COUNTY AUDITOR OF SHANNON COUNTY

Eugenio White Hawk entered the meeting at 12:27 p.m.

The report of Veterans Services Officer Archie Hopkins was reviewed. Motion by Hutchison, seconded by Kehn, to accept and place on file the report of VSO Archie Hopkins. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by White Hawk, to approve a travel request for a clerk from Elections and a clerk from the Treasurer's Office to attend the Spring Workshop, May 9-11, 2012. With no further discussion and all voting yes, the motion carried.

Sheriff Jim Daggett presented his monthly report and informed the Board of a program, MOCIC, which allows for loans of equipment and internet-connected law enforcement reporting. Daggett also asked for approval to research titles for county equipment purchases.

Fuel quotes were presented as follows:

2-6-12: 660 gal. propane  
Westco: \$1.869  
Nelson's: no bid  
Lakota Plains: no bid

2-27-12: 450 gal Unleaded Gas 1,650 gal #2 Red Diesel  
Westco: \$3.23 per gallon \$3.705 per gallon  
Nelson's: no bid no bid  
Pine Ridge Oil: no bid no bid

Motion by Hutchison, seconded by White Hawk, to accept the Westco bids for 660 gallons of propane at \$1.869 per gallon, 450 gallons of Unleaded Gas at \$3.23 per gallon and 1,650 gallons of #2 red diesel at \$3.705 per gallon as the only bids. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by White Hawk, to approve travel for highway department employees to attend MSHA training which was held in Hot Springs on February 15, 2012. With no further discussion and all voting yes, the motion carried.

Motion by White Hawk, seconded by Hutchison, to approve a membership fee of \$39.00 for the National Association of State Agencies for Surplus Property. With no further discussion and all voting yes, the motion carried.

Highway Superintendent Lynx Bettelyoun met with the Board and presented a quote for a used double-axle lowboy flatbed trailer but indicated he wanted to continue looking. Discussion was held on obtaining a snowplow for a department pickup; no action was taken.

Terri Halls, Director of Equalization, was present and Lori McAfee, Wings of Eagles Ministries, via speakerphone, requested abatement of 2010 and 2011 taxes. Yellow Bull asked about letters of support from the Tribe, which McAfee stated could be provided. Motion by White Hawk, seconded by Hutchison, to table the request for abatement of 2010 and 2011 taxes for Wings of Eagles Ministries until the April 6, 2012 meeting. With no further discussion and all voting yes, the motion carried.

Halls informed the Board that old assessment notices for Shannon County have been sent to Pierre for archive storage.

Bob Palmier, Director of the Oglala Sioux Tribe Department of Revenue, met with the Board to present a settlement agreement for 2010 rent and an agreement for 2012 to rent office space for early voting purposes. Motion by White Hawk, seconded by Hutchison, to approve a settlement payment of \$1,500.00 for 2010 office rent and to approve a lease agreement for 2012, providing for early voting and the Lakota Election Information Program office space from March 7, 2012 to November 7, 2012 at \$500.00 per month for a total cost of \$4,000.00 with agreed upon amendments regarding phone, internet service and payment dates. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, to enter into Executive Session with attorney Sara Frankenstein to discuss litigation. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:51 p.m.

The Board came out of Executive Session at 4:16 p.m.

Motion by Hutchison, seconded by White Hawk, to provide 46 days of early voting for each 2012 election, due to the Secretary of State's commitment to provide an additional approximate \$12,000.00 through HAVA funds to reimburse the County for 8-hour-day wages for early voting election workers. With no further discuss, the motion carried.

Motion made by White Hawk, seconded by Kehn, to provide the County's litigation attorney Sara Frankenstein with authority to negotiate and modify the Shannon County/Fall River County 2012 county officials services contracts in order to potentially settle the Brooks v. Gant lawsuit, or in the alternative, to enter into negotiations with Fall River County officials to modify the portion of the current contracts, allowing for assurance to the Brooks plaintiffs that county officials will provide 2012 election services. With no further discussion and all voting yes, the motion carried.

Early voting was discussed along with changes to allow for voting centers and the use of electronic poll books. Motion by Kehn, seconded by White Hawk, to approve the use of electronic poll books and vote centers for the 2012 elections, and submit request to the Secretary of State. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by White Hawk, to submit precinct boundary changes, the use of voting centers and electronic poll books, and early voting dates to the Department of Justice for preclearance. With no further discussion and all voting yes, the motion carried.

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

**GENERAL FUND**

AUDITOR'S OFFICE	JANUARY SALARIES	\$2,513.06
TREASURER'S OFFICE	JANUARY SALARIES	\$2,519.61
STATE'S ATTORNEY OFFICE	JANUARY SALARIES	\$1,045.47
DIRECTOR OF EQUALIZATION	JANUARY SALARIES	\$1,383.55
REGISTER OF DEEDS	JANUARY SALARIES	\$1,463.81
VETERANS SERVICES	JANUARY SALARIES	\$794.18
SHERIFF'S OFFICE	JANUARY SALARIES	\$2,336.73
CORONER	JANUARY SALARIES	\$673.12
AT&T MOBILITY	TELEPHONE	\$132.46
BINGHAM, JAMES L	CAAF	\$311.60
CAROL BUTZMAN CONSULTING	MI	\$338.16
CENTURY BUSINESS	COPIER	\$16.71
CULLIGAN	WATER	\$10.00
DAGGETT, JIM	MARCH BLUE CROSS PRE	\$400.00
DIETRICH, DONNA	MI	\$153.70
EKEREN, MARV	MI	\$15.00
FARRELL, FARRELL	FEB DEP ST ATY CONTR	\$1,743.16
CARDMEMBER SERVICE	GAS	\$828.51
HOSMER, DAVID	MI	\$271.84
KEHN, BRYAN	TRAVEL	\$66.60
KLUENDER, LINDA	FEB DOM ABUSE GRANT	\$166.66
LAKOTA COUNTRY TIMES	PUBLISHING	\$18.36
LEWIS & CLARK BHS	MI	\$149.00
MARTINEZ, AUDREY L	TRAVEL	\$80.29
OST DEPT OF REVENUE	RENT	\$1,500.00
PENNINGTON CO STATES ATTY	MI	\$200.00
PSYCHOLOGICAL ASSOCIATES	MI	\$500.00
QUILL CORPORATION	SUPPLY	\$11.69
SD DEPARTMENT OF REVENUE	INMATE	\$35.00
SD ASSN OF COUNTY COMM.	CATASROPH LEGAL FUND	\$196.26
SHANNON COUNTY SHERIFF	PETTY CASH	\$71.41
SOUTH DAKOTA RETIREMENT	FEBRUARY RETIREMENT	\$1,773.84
SWANDA, KAREN	MI	\$15.00
US POSTAL SERVICE	POSTAGE	\$292.32
WELLS FARGO BANK	FEB/W/H/SS/MDCR TAXE	\$2,427.63
WESTERN BUSINESS SOLUTION	EQUIP	\$665.00
WESTERN COMMUNICATIONS	EQUIP	\$177.00

WINSLOW, SHARI	FEB DOM ABUSE GRANT	\$166.66
WHITE HAWK, EUGENIO	TRAVEL	\$69.56
YANKTON COUNTY	MI	\$415.00
YELLOW BULL, WENDELL	TRAVEL	\$47.36
BELT,JEAN	SALARY;TRAVEL	\$135.14
HUTCHISON, LYLA	TRAVEL	\$59.20
AT&T MOBILITY	TELEPHONE	\$93.16
BLUE CROSS/BLUE SHIELD	MARCH HEALTH INSURAN	\$1,204.41
CALIFORNIA CONTRACTORS	SUPPLY	\$99.90
CULLIGAN	WATER	\$10.00
FERGUSON, BUZZY	GRAVEL	\$448.00
GENERAL STORE	REPAIR	\$39.43
GREAT PLAINS COMMUNICATIO	TELEPHONE	\$172.19
PINE VALLEY ECO PRODUCTS	SUPPLY	\$480.49
HUSKER AUTO PARTS	REPAIR	\$94.54
JOHN DEERE FINANCIAL	REPAIR	\$250.50
MCI COMM SERVICE	TELEPHONE	\$47.38
NEBRASKA CHILD SUPPORT	CHILD SUPPORT	\$245.00
RITEC INDUSTRIAL PRODUCTS	SUPPLY	\$150.00
	<b>GENERAL FUND TOTAL</b>	<b>\$29,524.65</b>

**ROAD & BRIDGE**

ROAD & BRIDGE	JANUARY SALARIES	\$5,522.27
SDACHS	TRAVEL	\$80.00
SOUTH DAKOTA RETIREMENT	FEBRUARY RETIREMENT	\$873.38
TRUE VALUE	SUPPLY	\$67.72
WELLS FARGO BANK	FEB/W/H/SS/MDCR TAXE	\$1,630.95
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$8,174.32</b>

**GRAND TOTAL** **\$37,698.97**

Motion by Kehn, seconded by White Hawk, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 4:25 p.m.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Shannon County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor