

ONGLALA LAKOTA COUNTY MINUTES OF APRIL 1, 2016

The Oglala Lakota Board of County Commissioners met in regular session on April 1, 2016. Present: Lyla Hutchison, Arlin Whirlwind Horse, Wendell Yellow Bull and Sue Ganje, County Auditor. Art Hopkins and Anna Takes The Shield were absent.

The Pledge of Allegiance was given and the meeting called to order at 1:10 PM by Chairman Wendell Yellow Bull. The agenda was reviewed for conflicts; none were indicated. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion by Whirlwind Horse, seconded by Hutchison, to approve the agenda as written.

Motion by Whirlwind Horse, seconded by Hutchison to approve minutes from March 4, 2016. (April 1, 2016 minutes will show a change to the tandem axle trailer cost)

Motion by Whirlwind Horse, seconded by Hutchison, to review and place on file the Veteran Service Office report for March 2016.

Art Hopkins arrived at meeting at 1:18pm.

Motion by Hutchison, seconded by Hopkins to approve the Auditor's Account with the County Treasurer as follows:

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

TO THE HONORABLE BOARD OF OGLALA LAKOTA COUNTY COMMISSIONERS:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 31st day of March, 2016.

Total Amt of Deposit in First Interstate Bank, HS: \$ 5,266.90

Total Amount of Cash: \$ 1,846.32

Total Amount of Checks in Treasurer's

Possession Not Exceeding Three Days: \$ 8,348.40

MONEY MARKET SAVINGS:

First Interstate-Hot Springs: \$ 1,580,592.85

CERTIFICATES OF DEPOSIT:

First Interstate-Hot Springs: \$ 250,000.00

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

Sheriff Change Fund: \$200.00

Election Petty Cash: \$15.00

Treasurer Shortage:

RETURNED CHECKS:

Black Feather, David: \$75.00, Lic

Blethen, Rene: \$48.25, Lic (2006)

Burgess, Jeanne: \$45.00, Lic

Cedarface, Gail: \$32.38, Lic (2012)

Garnett, Aqualyne: \$64.00, Lic

Goings, Tanya L: \$71.00, Lic

Janis, Jennifer: \$90.50, Lic

Little Hawk, Jolene: \$32.40, Lic (2009)

Lessert, Timothy: \$167.61, Lic (2016)

Mesteth, Perry: \$63.00, Lic (2003)

Morrison, Nadine: \$15.00, Lic

Old Horse, John: \$15.00, Lic

Parton, Joy: \$32.00, Lic (2006)

Pourier, Joel: \$349.00, Lic

Red Cloud, John: \$45.90, Lic

Ross, William: \$53.00, Lic

McDonald, John: \$983.97, Lic (2013)

TOTAL \$1,848,452.48

Dated This 31st Day of March, 2016.

Sue Ganje, County Auditor of Oglala Lakota County

County Monies: \$1,760,440.15

Held for other Entities: \$28,486.35

Held in Trust: \$59,525.98

TOTAL: \$1,848,452.48

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

Motion by Whirlwind Horse, seconded by Hutchison, to approve resolution as follows:

OGLALA LAKOTA COUNTY RESOLUTION # 2016 - 04

WHEREAS, it appears that certain circumstances require the use of a credit card for financial purposes in the County, and

NOW THEREFORE BE IT RESOLVED that the Oglala Lakota County Commissioners authorize the use of such cards with the following conditions:

1) The credit cards will be located at and only be used by the following:

a) Courthouse: County Treasurer and any other designated holders as determined by the County Commissioners

- b) Highway Department: Highway Superintendent
 - c) Sheriff Department: Sheriff, Deputy Sheriff
- 2) The credit cards will only be used for the following purposes:
- a) Hotel room lodging and/or deposits to hold rooms for authorized, official travel on County business, and
 - b) Equipment and supply vendors with which the County does not have an account or is not expected to have an account; or instances where the use of the card would result in beneficial terms for the county.
 - c) Travel purposes, including gas expenses and meals purchased while on over-night travel; exclusions include meals purchased under the meal allowance guidelines and items such as soft drinks, candy, etc.
- 3) A credit card **may not** be used for cash advances of any kind, or for any other purpose not specifically authorized by this policy.
- 4) The Board of Commissioners shall, on a monthly basis, review the credit card statement to ensure all transactions shown on the card comply with this policy. Transactions that do not appear to comply with the policy shall be reported to the full Board immediately.
- 5) All receipts must be promptly remitted to the Auditor. Any charges that cannot be properly identified or which are not made in conformity with County policy shall be paid immediately by the user of the card. Charges to be reimbursed shall include any interest and all other related charges made by the credit card company. Any officer or employee who uses a County credit card in a manner contrary to this policy shall be subject to disciplinary actions as determined by the Board of County Commissioners.
- 6) All benefits, refunds, rebates and other incentives from the use of a credit card shall belong solely to the County and shall not benefit an individual.
- 7) Card rate increase requests must be made to the County Commissioners.

Passed and approved this 1st day of April, 2016.

Wendell Yellow Bull, Chair
Oglala Lakota Board of County Commissioners

ATTEST:

Sue Ganje
Oglala Lakota County Auditor

The commissioners reviewed the letter from the South Dakota Department of Agriculture regarding noxious weeds. Mullein is now declared a noxious weed, as requested by the Commissioners. This will be effective until the year 2020. The Board placed the letter on file.

Sue Ganje, County Auditor presented information on Senate Bill 2 regarding Alcoholic beverage tax. The County of Oglala Lakota could realize estimated revenue of \$61,000.00 per year. The apportionment is based by a set base amount per county, and by county population.

Lynx Bettelyoun, Highway Department gave updates regarding the course he attended in Oacoma. Bettelyoun reviewed the information regarding the STP payouts to the county will increase by 5% in 2016, and 2-3% in following years. He advised of a new additive counties are trying on gravel roads at a cost of approximately \$110,000 per mile. Bettelyoun also discussed bridges, and the need to post a limit per axle in the yearly weight limit resolution. Yellow Bull questioned weight scales and Bettelyoun will continue searching that issue.

Motion by Hutchison, seconded by Hopkins to approve reimbursing the highway department for fuel used by the Sheriff in the amount of \$656.45 for the period of 2-17-16 thru 3-30-16.

Motion by Whirlwind Horse, seconded by Hutchison, to approve the quote for fuel from Westco, being the low and only bid, in the amount of \$1.70/gal for 300 gallons of Unleaded; \$1.69/gal for 1600 gallons of #1 Red Diesel and \$1.190/gal for 620 gallons of propane.

Motion by Hutchison, seconded by Hopkins, to approve a quote from Great Western Tire for twelve motor grader tires at a total cost of \$13,869.36.

A hearing regarding the vacation of a part of a section line, as advertised in the Lakota County Times, was held. Clarence Conroy, petitioner, along with Tom Conroy and Calvin Conroy were present and Clarence spoke to reaffirm his request to vacate that portion of section line on Wakpamni Road, with Tom and Calvin agreeing. The Board asked if any residents have wanted to use that section of road, with Clarence noting that there have been a few who just turned around. Rex Conroy, Sheriff, advised that he informed the area residents of the closing. Discussion was again held on the unsafe condition of the road. Easements along the road will remain in place. Hearing no opposition, and having received no opposition by mail or phone calls, motion by Hutchison, seconded by Whirlwind Horse to approve the following resolution, by roll call vote.

RESOLUTION and ORDER VACATING ROADWAY #2016-05

WHEREAS, a Petition has been received and requests the vacation of a portion of the highway described as follows:

The existing public right of way which includes statutory right of way and any right of way acquired by Deed(s) lying on the sections running along the following part of County Rd #15 (Wakpamni Rd) starting at the northeast corner of Section 16 in Township 36, Range 41, traveling south for 4 miles to the southeast corner of Section 33 in Township 36, Range 41 in Oglala Lakota County, South Dakota.

WHEREAS, Said Petition, being in proper form and executed by the required number of electors of Oglala Lakota County, and it having been determined that a vacation of said Highway will better serve the public convenience; and this Petition having come on at a regular meeting of the Oglala Lakota Board of Commissioners; and no one appearing in opposition thereto; and said Board of County Commissioners having considered the matter and being fully advised in the premises and considering it expedient to do so;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Oglala Lakota County, South Dakota that the highway described above shall be and the same is hereby declared to be vacated. A copy of the resolution shall be recorded in the minutes of the Board

IT IS ORDERED that a copy of this resolution shall be published in The Lakota County Times once each week for two consecutive weeks; and that after such publication, such highway shall be, after a lapse of 30 days, vacated without further proceedings unless appealed; and that the Oglala Lakota County Auditor shall cause to be recorded a true and correct copy of this Resolution and Order in the Register of Deeds of Oglala Lakota County, South Dakota.

THIS RESOLUTION IS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF OGLALA LAKOTA COUNTY, SOUTH DAKOTA

Dated this 1st day of April, 2016

/s/Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Shannon County Board of Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor

Highway Department will put up a sign for no through traffic on Wakpamni Rd. Tom Conroy asked on the rates of private road work done by the county as and a discussion on cost was briefly held.

Rex Conroy, Sheriff presented his monthly report. There was a bad sensor on one of the donated Chevrolet Impalas needed to get fixed. April 20-22 there will be a sheriff's conference in Deadwood, South Dakota. Rex also obtained three appraisals of the 2005 Ford Expedition that the county is selling by sealed bids.

Motion by Whirlwind Horse, seconded by Hutchison to approve Sheriff travel to Deadwood for Annual Sheriff's Conference for April 20-22, 2016.

No sealed bids were received regarding the 2005 Ford Expedition, the sale of the vehicle will be revisited on the May 6th, 2016.

Susie Simkins, Director of Equalization met with the Board to present tax appeal updates. Two stipulations, one appeal and the exempt list are planned for the April meeting. Motion by Whirlwind Horse, seconded by Hutchison to set the Equalization meeting for pay 2017 tax appeals on April 15th, 2016 at 1:00 pm. Simkins presented the preliminary exempt list to review for approval at the meeting on April 15th, 2016.

Discussion was held regarding tax status of properties purchased by the Oglala Sioux Tribes. It was questioned if properties are exempt upon purchase, or when it is put into trust by the Bureau of Indian Affairs and briefly noted the procedure that the OST must follow to get the properties into trust. During the discussion an email was presented by the Treasurer that she received from Denise Mesteth of the Land Committee requesting county representation to meet in Pine Ridge on April 11th, 2016. Wendell Yellow Bull was authorized to attend that meeting.

Motion by Hutchison, seconded by Hopkins to move to executive session at 3:09 pm, as per SDCL 1-25-2 for the Annual Conference with the Director of Equalization, as per SDCL 10-3-14. At 3:16 pm the Board then continued in executive for a personnel issue, as per SDCL 1-25-2. The Board came out of executive session at 3:58 pm.

Motion by Hopkins, seconded by Whirlwind Horse to approve bills for March 2016.

GENERAL FUND

AT&T MOBILITY	WIRELESS PHONE SHERI	\$89.90
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE	\$504.66
CENTURY BUSINESS	COPIER LEASE/METER	\$33.71
TAKES THE SHIELD, ANNA	MILEAGE	\$45.36
ELECTION SYSTEMS & SOFT	ELECTION SYSTEMS & S	\$1,872.00
EFTPS	EFTPS TAXES	\$2,283.91
FALL RIVER COUNTY AUDITOR	REIMBURSEMENT CAAF	\$195.82
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$584.00
FALL RIVER CO. TREASURER	REIMBURSE FR ELECTIO	\$1,277.34
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$989.04
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$331.24
FIRST INTERSTATE BANK	MARCH SERVICE CHARGE	\$34.10
FIRST INTERSTATE BANK	LEASE PAYMENT	\$570.24
GOLDEN WEST	LOCAL PHONE/EMAIL/LO	\$181.00
GOLDEN WEST	LOCAL PHONE/EMAIL/LO	\$70.00
HOPKINS, ARTHUR L	MILEAGE	\$95.76
LAKOTA COUNTRY TIMES	PUBLICATION	\$120.00
MARTINEZ, AUDREY	CORONER MILEAGE	\$58.80

	WEB	
MASTEL, BRUCE	HOST/UPDATE/SERV	\$35.00
MCLEOD'S OFFICE SUPPLY	ELECTION SUPPLIES	\$755.55
NEVE'S UNIFORMS INC	UNIFORM/SUPPLY	\$103.93
OGLALA SIOUX TRIBE	MONTH RENT FOR VET S	\$100.00
PENNINGTON COUNTY JAIL	INMATE HOUSING	\$185.61
RESERVE ACCOUNT	POSTAGE METER PITNEY	\$1,418.00
QUILL CORPORATION	OFFICE SUPPLIES	\$110.83
RELIANCE STANDARD	LIFE INSURANCE	\$39.75
SD DEPT OF REVENUE	TITLE/PLATE FEE	\$14.40
SD POLICE CHIEFS' ASSOC	SPRING CONFERENCE PO	\$85.00
SDPAA	2016 LIABILITY/PROPE	\$9,141.37
SECRETARY OF STATE	PISTOL PERMITS	\$35.00
SECRETARY OF STATE	PISTOL PERMITS	\$7.00
SECRETARY OF STATE	PISTOL PERMITS	\$42.00
SD STATE RETIREMENT	SDRS	\$1,370.34
STATE TREASURER	AUTO FEE/MI	\$120.00
SOUTH DAKOTA STATE TREAS	SALES TAX	\$22.15
STEINLEY REAL ESTATE APP	REGISTRATION	\$185.00
VERIZON WIRELESS	VICTIM ADVOCATE CELL	\$37.77
WHIRLWIND HORSE, ARLIN	MILEAGE	\$95.76
YELLOW BULL, WENDELL	MILEAGE	\$53.76
HUTCHISON, LYLA	MILEAGE	\$67.20
BETTELYOUN, RONDA	PAINTING ELECTION SI	\$50.00
	TOTAL FOR GENERAL FUND	\$23,412.30
COUNTY ROAD & BRIDGE		
A & B WELDING SUPPLY	WELDING SUPPLY/LEASE	\$41.18
AT&T MOBILITY	WIRELESS PHONE SHERI	\$97.48
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE	\$1,009.32
BUTLER MACHINERY CO.	EQUIPMENT REPAIR/SUP	\$97.24
BUTLER MACHINERY CO.	EQUIP SUPPLY/REPAIR	\$826.02
CULLIGAN	DRINKING WATER SUPPL	\$5.50
CULLIGAN	WATER DISPENSER	\$5.50
EFTPS	EFTPS TAXES	\$2,978.11
FERGUSON, BUZZY	GRAVEL	\$864.74
GENERAL STORE	SUPPLIES	\$51.96
GODFREY BRAKE SERVICE AND	SERVICE	\$740.58
GREAT PLAINS COMMUNICATIO	LOCAL PHONE & INTERN	\$186.31
HUSKER AUTO PARTS	AUTO PARTS/SUPPLIES	\$127.06
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$607.84
LAKOTA COUNTRY TIMES	PUBLICATION	\$128.60
MCI COMM SERVICE	LONG DISTANCE PHONE	\$47.97
MENARDS	SUPPLY	\$91.54

RELIANCE STANDARD	LIFE INSURANCE	\$72.25
SAM'S TRAILER SALES, LLC	EQUIPMENT/TRAILER	\$5,026.75
SD FEDERAL PROPERTY AGCY	SD FEDERAL PROPERTY	\$269.75
SDPAA	2016 LIABILITY/PROPE	\$10,628.35
SD STATE RETIREMENT	SDRS	\$1,409.00
WESTCO	FUEL	\$2,144.65
WESTCO	FUEL/UTILITES	\$3,955.54
TOTAL FOR COUNTY ROAD & BRIDGE		\$31,413.24
SHANNON COUNTY SCHOOL		
OGLALA LAKOTA SCHOOLS	TAXES	\$7,743.08
TOTAL FOR SHANNON COUNTY SCHOOL		\$7,743.08
TOWN OF BATESLAND		
TOWN OF BATESLAND	TAXES	\$4,941.37
TOTAL FOR TOWN OF BATESLAND		\$4,941.37
TAX SALE REDEMPTION FUND		
ADAIR ASSET	REDEMPTION RECEIPT	\$1,776.01
TOTAL FOR TAX SALE REDEMPTION FUND		\$1,776.01
STATE MOTOR VEHICLE COLLECTIONS		
STATE TREASURER	AUTO FEE/MI	\$67,549.27
TOTAL FOR STATE MOTOR VEHICLE COLLECTIONS		\$67,549.27
M & P FLOW THRU		
SD ASSN OF CO OFFICIALS	M & P FLOW THRU	\$10.00
TOTAL FOR M & P FLOW THRU		\$10.00
TOTAL PAID BETWEEN 3/05/16 AND 4/01/16		\$136,845.27

Motion by Hopkins, seconded by Whirlwind Horse, to adjourn at 4:05 pm.

ATTEST:

/s/ Sue Ganje

Oglala Lakota County Auditor

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Oglala Lakota County
Commissioners