

**OGLALA LAKOTA COUNTY MINUTES OF JULY 8, 2016**

The Oglala Lakota Board of County Commissioners met in regular session on July 8, 2016 in the lower level meeting room of Fall River County Courthouse. Present: Wendell Yellow Bull, Lyla Hutchison, Arlin Whirlwind Horse and Sue Ganje, County Auditor. Anna Takes The Shield and Art Hopkins was absent.

The Pledge of Allegiance was given and the meeting called to order at 1:20 pm. 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 Hutchison, seconded by Whirlwind Horse, to approve the agenda as written.

Motion by Whirlwind Horse, seconded by Hopkins to approve minutes from June 10, 2016 meeting with the amendment to the remove the motion authorizing bids for gravel crushing and trucking as it did not contain a specific date.

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

Motion by Hopkins, seconded by Whirlwind Horse, 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 30<sup>th</sup> day of June, 2016.**

**Total Amt of Deposit in First Interstate Bank, HS:           \$ 15,002.36**

**Total Amount of Cash:   \$ 1,130.10**

**Total Amount of Checks in Treasurer's**

**Possession Not Exceeding Three Days:                               \$ 1,363.60**

**MONEY MARKET SAVINGS:**

**First Interstate-Hot Springs:                                       \$ 1,869,289.83**

**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)**

**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 \$2,139,016.29**

**Dated This 30<sup>th</sup> Day of June, 2016.**

**Sue Ganje, County Auditor of Oglala Lakota County**

**County Monies: \$2,078,190.17**  
**Held for other Entities: \$139,299.24**  
**Held in Trust: \$45,416.18**  
**TOTAL: \$2,262,905.59**

**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 Hopkins to approve 2016 Veterans Service Office Rental agreement at \$100.00 per month. The Board was notified that 2017 rent would be \$200.00 per month.

Motion by Whirlwind Horse, seconded by Hopkins to approve travel Denver American Horse, Veteran Service Officer, to attend the SDDVA benefits school in Pierre on August 22 to August 25, 2016 with mileage to be paid in advance.

Motion by Whirlwind Horse, seconded by Hopkins to approve setting the Contingency Transfers and Supplement meeting for August 5, 2016 at 1:10 pm.

Lynx Bettelyoun, Highway Superintendant gave an update on current road maintenance projects, graveling update and informed the Board that the front end wheel loader is in the shop for approximately \$10,000 in repair costs. Mower tractor work is planned to begin in 2 weeks. Bettelyoun also updated the Board on the Kyle Road Gravel Crushing and Trucking Project.

Anna Takes the Shield arrived to the meeting at 1:32 pm.

Motion by Takes the Shield, seconded by Hopkins to set August 5, 2016 at 1:30 pm as the time and date to open Sealed Bids for the Gravel Crushing and Trucking project on the Kyle Road, Phase 1.

Motion by Whirlwind Horse, seconded by Takes The Shield to approve the Agreement between Oglala Lakota County and Brosz Engineering to provide Professional Services, contingent on approval by State's Attorney.

Motion by Whirlwind Horse, seconded by Takes The Shield to approve the quote for Brosz Engineering in the amount of \$2,700.00 and approximately \$1,000.00 additional for gravel testing.

Art Hopkins arrived at 1:38 pm.

Motion by Hopkins, seconded by Whirlwind Horse to approve a transfer to reimburse the Highway department for Sheriff's gas used in the amount of \$62.67 from 6-4-2016 to 7-7-2016.

Motion by Hopkins, seconded by Takes The Shield to approve private road work for Bernie Abold in the amount of \$73.00.

A bid was received for the 2005 Ford Expedition. Motion by Whirlwind Horse, seconded by Hopkins to accept the bid from Kelly Ferguson in the amount of \$806.00 for the 2005 Ford Expedition.

Fuel Bids were presented for the following:

400 gallons of Unleaded and 1,750 gallons of #2 Red Diesel

Nelson's –No Bid

Westco- 1.965 unleaded, 1.85 #2 Red Diesel

Pine Ridge Oil- No Bid

Motion by Whirlwind Horse, seconded by Hopkins to approve Westco's fuel bid as the low and only bid for 400 gallons of unleaded at \$1.965 per gallon and 1,750 gallons of #2 red diesel at \$1.85.

Sheriff Rex Conroy was unable to meet with the Board. Motion by Whirlwind Horse, seconded by Hopkins to accept and place on file the monthly reports of the Sheriff and Deputy.

Motion by Whirlwind Horse, seconded by Takes The Shield to approve Joe Herman, Deputy Sheriff, as a volunteer. This will cover Herman for workman's compensation purposes.

Kelli Rhoe, Treasurer met with the Board to present her budget for the 2017 financial year.

Jim Sword, states attorney met with the Board to present his budget for the 2017 year with no change from 2016. Jury trials in Oglala Lakota were discussed. Motion by Whirlwind Horse, seconded by Hutchison to enter into executive session for legal matters, as per SDCL 1-25-2 (3) at 2:50 pm. Exited at 3:01 pm.

A call was placed to the Badlands Conservation district for 2017 budget purposes and there was no answer. A message was left.

Sue Ganje, Auditor presented an amendment to her budget to allow for digital preservation of county records.

Susie Simkins, Director of Equalization presented her 2017 budget. Discussion was held on a reappraisal in Oglala Lakota County in 2017, and in order to start now a request for current year funds was made. Motion by Hopkins, seconded by Whirlwind Horse to approve \$3,105.00 to purchase Vanguard Modules for the Department of Equalization.

Susie Simkins, Director of Equalization presented her Pay 17 Values for Oglala Lakota.

Melody Engebretson, Register of Deeds presented her 2017 Budget with no changes from 2016.

Motion by Whirlwind Horse, seconded by Hopkins to approve the following drought resolution.

**UGLALA LAKOTA COUNTY RESOLUTION # 2016-06**  
**EMERGENCY DROUGHT DISASTER RESOLUTION**

WHEREAS, the vast majority of Oglala Lakota County has failed to receive adequate precipitation for the preceding twelve month period, and

WHEREAS, the lack of precipitation over the past years has created a catastrophic state of drought, and

WHEREAS, the drought conditions have had an enormous effect on the production capabilities of the agricultural industry, which in turn severely affects the entire local economy, and

WHEREAS, the lack of consistent precipitation has resulted in the lack of rain water runoff and therefore caused livestock ponds, dams, wells and natural water holes to dry up, and

WHEREAS, the grass, what there is of it, in the pastures in the county is bone dry, and quickly allows the start and spread of wild fires thus making containment almost impossible, and

WHEREAS, the local volunteer fire departments have almost depleted their resources in quelling wild fires, and

WHEREAS, the lack of dependable precipitation has resulted in record low subsoil moisture and has caused the water table to drop significantly,

NOW THEREFORE BE IT RESOLVED, that the Oglala Lakota County Commissioners declare that current drought conditions have created a natural disaster within Oglala Lakota County, and

BE IT FURTHER RESOLVED, that both farmers/ranchers and local businesses may be eligible for disaster aid grants and/or low interest Economic Injury Disaster loans from the Farm Services Agency and Small Business Administration Agency retroactive to January 1, 2016, and

BE IT FURTHER RESOLVED that the Board of County Commissioners for and on behalf of the citizens of Oglala Lakota County, request that the Governor of the State of South Dakota petition the Secretary of Agriculture to declare Oglala Lakota County a drought disaster area, and

BE IT FURTHER RESOLVED that an Emergency exists in Oglala Lakota County and this Resolution shall be in effect from and after its publication and this action is necessary for the preservation of the public peace, health and safety.

Dated this 8<sup>th</sup> day of July, 2016.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje

Sue Ganje, Oglala Lakota County Auditor

Motion by Takes the Shield, seconded by Whirlwind Horse to approve the following bills.

**GENERAL FUND**

AMERICAN HORSE, DENVER	ELECTION DAY/SCHOOL	\$141.26
HEALTHPLAN SERVICES, INC	AMERITAS DENTAL/VISI	\$602.16
HEALTHPLAN SERVICES, INC	DENTAL/VISION	\$100.36
AT&T MOBILITY	WIRELESS PHONE SHERI	\$89.84
AT&T MOBILITY	WIRELESS PHONE SHERI	\$95.35
BETTELYOUN, TINA	BALLOT TRANSPORT	\$122.52
BETTELYOUN, M DARLENE	ELECTION DAY/SCHOOL	\$309.68
BETTELYOUN, M DARLENE	MILEAGE REIMBURSEMEN	\$142.80
BILLY MILLS HALL	BMH RENTAL ELECTIONS	\$100.00
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE	\$498.84
BROTHERHOOD CLINIC	RENTAL OF BROTHERHOO	\$150.00
BUSH, KAREN	BALLOT TRANSPORT	\$42.00
CENTURY BUSINESS	COPIER LEASE & METER	\$15.77
TAKES THE SHIELD, ANNA	MILEAGE (July)	\$45.36
TAKES THE SHIELD, ANNA	MILEAGE (June)	(\$45.36)
EFTPS	TAXES	\$2,691.67
EXECUTIVE MGMT FINANCE OF	BIT	\$72.00
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$1,168.00
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$51.73
FIRST INTERSTATE BANK	JUNE SERVICE CHARGE	\$34.25
FIRST INTERSTATE BANK	LEASE PAYMENT	\$570.24
SCHMIDT, STACY	TRAVEL/MEAL REIMBURS	\$36.00
GOLDEN WEST	LOCAL PHONE/EMAIL/LO	\$183.37
GOLDEN WEST	LOCAL PHONE/EMAIL/LO	\$167.00
SIMKINS, SUSIE	TRAVEL REIMBURSEMENT	\$40.00
HOLIDAY INN	CONFERENCE HOTEL	\$255.00
HOPKINS, ARTHUR L	MILEAGE	\$95.76
JANIS, BOBBIE	TRAVEL/MEAL REIMBURS	\$36.00

LAKOTA COUNTRY TIMES	PUBLICATION	\$174.53
MARSHALL, GERRY LEE	ELECTION DAY/SCHOOL	\$140.00
MARTINEZ, AUDREY	CORONER MILEAGE	\$79.80
MASTEL, BRUCE	WEB HOST/UPDATE/SERV	\$35.00
MCLEOD'S OFFICE SUPPLY	ELECTION SUPPLIES	\$107.16
MONTANA CSED	CHILD SUPPORT	\$1,133.27
NELSON, CATHY	PROVISIONAL BOARD	\$20.00
OGLALA SIOUX TRIBE	MONTH RENT FOR VET S	\$100.00
RESERVE ACCOUNT	POSTAGE METER PITNEY	\$286.00
QUILL CORPORATION	SUPPLIES	\$110.15
QUILL CORPORATION	SUPPLIES	\$45.98
RELIANCE STANDARD	LIFE INSURANCE	\$38.75
ROUILLARD, RODNEY	BALLOT TRANSPORT	\$58.80
SDAOO C/O WENDY SEMMLER	TUITION	\$300.00
SECRETARY OF STATE	PISTOL PERMITS	\$21.00
SECRETARY OF STATE	VOTER LIST	\$50.00
SECETARY OF STATE	PISTOL PERMITS	\$56.00
SINGING HORSE	RENTAL ELECTION	\$100.00
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,370.34
STATE TREASURER	AUTO FEE/MI	\$120.00
SURETY FINANCE	GARNISHMENT	\$317.46
THUNDER HAWK, MATHEW	BALLOT TRANSPORT	\$42.84
TOMLINSON, JULIE	TRAVEL/MEAL REIMBURS	\$36.00
WHIRLWIND HORSE, ARLIN	MILEAGE	\$95.76
WHITEFACE, DAVID	BALLOT COLLECTION	\$42.84
YELLOW BULL, WEND	MILEAGE	\$53.76
ZIMIGA, MELANIE	ELECTION DAY/SCHOOL	\$140.00
ZIMBELMAN, LEON	BALLOT TRANSPORT	\$114.60
ZIMBELMAN, IRENE	BALLOT TRANSPORT	\$60.00
IRON HORN, LYLE	PISTOL DENIAL REFUND	\$10.00
PETTIGREW, MARTHA	ELECTION DAY/SCHOOL	\$157.20
MARTIN, MARILYN	ELECTION DAY/SCHOOL	\$190.40
ANDUJA, ANGELA	ELECTION DAY	\$115.00
BELT,JEAN	ELECTION EARLY VOTIN	\$28.56
BELT,JEAN	MILEAGE REIMBURSEMEN	\$72.24
BIG CROW, DEANNA	ELECTION DAY/SCHOOL	\$152.60
PATTON, TOM	ELECTION DAY/SCHOOL	\$156.80
EVANS, JENNIFER	ELECTION DAY/ELECTIO	\$136.50
KOCER, CARLA	ELECTION DAY/SCHOOL	\$140.00
KOCER, CARLA	MILEAGE	\$52.08
ANDUJA, ERICA	ELECTION DAY/SCHOOL	\$140.00
LOAFER, GAYLA	ELECTION DAY/SCHOOL	\$140.00
ROBINSON, VIOLET	ELECTION DAY/SCHOOL	\$144.70

ROUILLARD, LAQUETTA	ELECTION DAY/SCHOOL	\$169.90
CUMMINGS, RUTH ANN	ELECTION DAY/SCHOOL	\$140.00
GIBBONS, CHARLOTTE	ELECTION DAY/SCHOOL	\$140.00
YOUNG MAN, LOUELLA	ELECTION DAY/SCHOOL	\$156.80
HUTCHISON, LYLA	ELECTION DAY/SCHOOL	\$165.20
HUTCHISON, LYLA	MILEAGE	\$67.20
FASTWOLF, DENISE	ELECTION DAY/SCHOOL	\$140.00
O'ROURKE, CHUCK	ELECTION DAY/SCHOOL	\$140.00
FEATHER EARRING, SHIRLENE	ELECTION DAY	\$127.18
SIouxCALF, LAFORCE	BALLOT TRANSPROT	\$105.48
BETTELYOUN, RONDA	BALLOT TRANSPORT	\$67.92
WHITE FACE, PATRICIA	BALLOT TRANSPORT	\$42.00
BETTELYOUN, TALON	BALLOT TRANSPORT	\$54.00
O'ROURKE, SALLY	ELECTION DAY/SCHOOL	\$140.00
O'ROURKE-WIEST, SUNNY	ELECTION DAY	\$115.00
LE BEAU, BESSIE	ELECTION DAY/SCHOOL	\$140.00
LITTLE WHITEMAN, DONITA	ELECTION DAY	\$115.00
ONE FEATHER, INGRID	ELECTION DAY	\$115.00
ONE FEATHER I, JANICE G.	ELECTION DAY	\$115.00
ONE FEATHER I, JANICE G.	ELECTION DAY WORKER	(\$115.00)
RED OWL, BRYNDA	ELECTION DAY	\$107.00
SMITH, ANN	ELECTION DAY	\$115.00
STANDING BEAR, WILMA	ELECTION DAY/SCHOOL	\$140.00
DONOVAN, MARK	ELECTION DAY/SCHOOL	\$170.84
DONOVAN, MARK	MILEAGE	\$21.84
THIN ELK, WILMA	ELECTION DAY	\$115.00
KANDALL, KATHY	ELECTION DAY/SCHOOL	\$140.00
TWISS, MELVIN	PISTOL PERMIT DENIAL	\$10.00
TWO BULLS, ANDREA	ELECTION DAY/SCHOOL	\$140.00
TWO BULLS, PATRICIA	ELECTION DAY	\$115.00
WESTOVER, AGNES A	ELECTION DAY/SCHOOL	\$379.40
WESTOVER, AGNES A	PAYCHECK *EARLY*	\$400.00
WESTOVER, AGNES A	MILEAGE REIMBURSEMEN	\$189.00
VITALIS, MARGARET	ELECTION DAY/SCHOOL	\$140.00
WESTON, ANNABELLE	ELECTION DAY	\$144.70
WESTON, RUTH	ELECTION DAY/SCHOOL	\$176.20
JERNIGAN, JANICE	BALLOT TRANSPORT	\$42.00
YELLOW HAIR, ELDON	PISTOL PERMIT DENIAL	\$10.00
ANGEL, VALARIE	ELECTION SCHOOL	\$25.00
YOUNG MAN, MERCEDESE	ELECTION DAY/SCHOOL	\$145.44
SHOULDERS, CANDACE	ELECTION DAY	\$115.00

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**GENERAL FUND**

\$ 19,679.82

**COUNTY ROAD & BRIDGE**

A & B WELDING SUPPLY	WELDING SUPPLY/LEASE	\$90.02
HEALTHPLAN SERVICES, INC	AMERITAS DENTAL/VISI	\$799.84
HEALTHPLAN SERVICES, INC	DENTAL/VISION	\$111.16
AT&T MOBILITY	WIRELESS PHONE SHERI	\$97.44
AT&T MOBILITY	WIRELESS PHONE SHERI	\$107.44
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE	\$997.68
CEDAR SHORE RESORT	TRAVEL/HOTEL TRAININ	\$179.90
CULLIGAN	UTILITY/WATER	\$5.50
DODGE TOWN INC	PARTS	\$24.35
EFTPS	TAXES	\$3,184.23
FERGUSON, BUZZY	GRAVEL	\$785.78
GREAT PLAINS COMMUNICATIO	LOCAL PHONE & INTERN	\$185.87
HUSKER AUTO PARTS	AUTO PARTS/SUPPLIES	\$60.49
JOHN DEERE FINANCIAL	CREDIT CARD CHARGES/	\$107.04
LACREEK ELECTRIC ASSOC	UTILITY	\$211.10
MCI COMM SERVICE	LONG DISTANCE PHONE	\$47.91
MCI COMM SERVICE	LONG DISTANCE PHONE	\$47.13
PINE RIDGE AUTO PARTS	AUTO PARTS/SUPPLIES	\$170.79
RELIANCE STANDARD	LIFE INSURANCE	\$82.75
RITEC INDUSTRIAL PRODUCTS	SUPPLY	\$84.00
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,489.10
WESTCO	FUEL/UTILITES	\$6,504.05
	<b>COUNTY ROAD &amp; BRIDGE</b>	<b>\$ 15,373.57</b>
<b>M &amp; P RELIEF</b>		
MICROFILM IMAGING SYSTEMS	SCANNING EQUIP RENTA	\$145.00
	<b>M &amp; P RELIEF</b>	<b>\$ 145.00</b>
<b>SHANNON COUNTY SCHOOL</b>		
OGLALA LAKOTA SCHOOLS	TAXES	\$25,273.39
	<b>SHANNON COUNTY SCHOOL</b>	<b>\$ 25,273.39</b>
<b>TOWN OF BATESLAND</b>		
TOWN OF BATESLAND	TAXES	\$3,001.18
	<b>TOWN OF BATESLAND</b>	<b>\$ 3,001.18</b>
<b>TAX SALE REDEMPTION FUND</b>		
CHIEF EAGLE, DALLAS	TAX REDEMPTION	\$5,898.81
	<b>TAX SALE REDEMPTION FUND</b>	<b>\$ 5,898.81</b>
<b>STATE MOTOR VEHICLE COLLECTIONS</b>		
STATE TREASURER	AUTO FEE/MI	\$45,713.85
	<b>STATE MOTOR VEHICLE COLLECTIONS</b>	<b>\$ 45,713.85</b>
<b>M &amp; P FLOW THRU</b>		
SD ASSN OF CO OFFICIALS	M&P FLOW THRU	\$14.00



	<b>M &amp; P FLOW THRU</b>	\$ 14.00
TOTAL PAID BETWEEN 6/10/16 AND 7/04/16	\$115,099.62	\$ 115,099.62

Motion by Takes the Shield, seconded by Hopkins to deny medical bills incurred for mental health expenses on Tribal members as the county has no jurisdiction over Tribal members.

Denise Mesteth, Land Committee Director of the Oglala Sioux Tribe met with the Board to discuss taxation of Oglala Sioux Land and presented a copy of Resolution 16-67 of the Oglala Sioux Tribe Council, Land and Natural Resource Committee requesting that all tribal land within Oglala Lakota County become tax exempt from any and all tax assessments. The Land Committee would like a letter on why the county has exempted OST lands in prior years and now are considering taxing. The Commissioners spoke of the procedure that needs to be followed to have the BIA put the land in Trust status. Denise presented a listing of the Great Plains Region, Pending Fee to Trust Applications, and Simkins asked to receive copies of this report when Mesteth receives them. The Board will reply to the Tribe.

Motion by Whirlwind Horse, seconded by Hopkins to enter in to executive session per SDCL 1-25-2 (3) for legal at 3:25 pm. Exited executive at 4:10 pm.

Motion by Hopkins, seconded by Whirlwind Horse to adjourn at 4:10 pm.

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

/sWendell Yellow Bull  
 Wendell Yellow Bull, Chairman  
 Board of Oglala Lakota County  
 Commissioners