

**OGLALA LAKOTA COUNTY MINUTES OF AUGUST 11, 2016**

The Oglala Lakota Board of County Commissioners met in special session on August 11, 2016 in the Auditor's Vault via teleconference at the Fall River County Courthouse. Present: Wendell Yellow Bull, Lyla Hutchison, Anna Takes The Shield and Arlin Whirlwind and Jenna Stokeberry, Administrative Assistant to the Auditor. Ross Eberle of Brosz Construction was also present by phone.

The Pledge of Allegiance was given and the meeting called to order at 1:37 pm. The agenda was reviewed for conflicts; none were indicated.

The meeting was opened by Yellow Bull and discussion regarding the Kyle Road Project bids followed. It was noted that the required Bid Bond was not included in the bid packet of Byrne Trucking, low bid. The Deputy State's Attorney reviewed SDCL 5-18A-5(5), not finding a statute allowing an entity submitting a bid to a public agency to supplement the bid after it is opened by submitting the bid bond. The options for the Board were to reject all bids, reject the low bid for incomplete paperwork and accept the second lowest bid or to accept the low bid contingent on receiving completed paperwork. Discussion followed from all parties. Motion by Hutchison, seconded by Whirlwind Horse to approve accepting the second lowest bid, from Western Construction, Inc., for the Kyle Road Crushing and Gravel bid Phase one as the lowest bid, from Byrne Trucking, was incomplete. By roll call and all voting yes, the motion carried.

Motion by Whirlwind Horse, seconded by Takes The Shield to adjourn at 1:45 pm. By roll call vote and all voting yes, the motion carried.

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

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