



motion carried.

Motion by Kehn, seconded by Hutchison, to approve an increase to \$12.00 per hour for Rodney Rouillard, 520 hours, effective 8-5-13. With no further discussion and all voting yes, the motion carried.

Anna Diaz joined the meeting at 12:29 PM.

Motion by Kehn, seconded by Diaz, to approve travel for Melody Engebretson, Michele Jensen, Lori Bachand and White Hawk to attend the Fall Convention in Spearfish on September 16-18, 2013. With no further discussion and all voting yes, the motion carried.

The Board reviewed a Wellmark proposal to extend the health insurance plan. Motion by Hutchison, seconded by Kehn, to approve extending the Wellmark health insurance plan until November 30, 2014. With no further discussion and all voting yes, the motion carried.

Motion by White Hawk, seconded by Kehn, to approve the bills as follows and a previously tabled \$2,813.02 bill for Clinical Lab. With no further discussion and all voting yes, the motion carried.

**GENERAL FUND**

Commissioners	August Salaries	\$484.84
Auditor's Office	August Salaries	\$2,440.37
Treasurer's Office	August Salaries	\$2,978.51
State's Attorney Office	August Salaries	\$1,136.94
Director Of Equalization	August Salaries	\$1,064.13
Register Of Deeds	August Salaries	\$1,559.73
Veterans Services	August Salaries	\$798.82
Sheriff's Office	August Salaries	\$2,348.97
Coroner	August Salaries	\$536.56
American Family Assurance	Ins	\$41.50
Andersen, Norma	MI	\$15.00
AT&T Mobility	Cell Phone	\$148.39
AT&T Teleconference	Telephone	\$34.73
Audra Malcomb Consulting	MI	\$492.15
Cody, Denise	MI	\$45.00
Dale's Tire & Retreading	Car Maint	\$840.00
Diaz, Anna	Travel	\$39.96
Ekeren, Marv	MI	\$30.00
Cardmember Service	Gas	\$1,804.91
Harmelink, Law Office	MI	\$106.28
Kehn, Bryan	Travel	\$66.60
Lewis & Clark BHS	MI	\$171.00
Lewno, Lucy	MI	\$594.84
Nettinga, Joan	Supply	\$29.64
Pennington County Auditor	MI	\$109.00
Pennington Co States Atty	MI	\$215.00

US Postal Service	Rent	\$80.00
Quill Corporation	Supply	\$90.48
SD Department Of Revenue	Inmate	\$35.00
SD Counties	Registration	\$660.00
Shannon County Sheriff	Petty Cash	\$66.20
Shepherd Reporting LLC	MI	\$30.00
Swanda, Karen	MI	\$30.00
Verizon Wireless	Vic Adv	\$30.77
White Hawk, Eugenio	Travel	\$69.56
Yankton County Treasurer	MI	\$106.25
Yellow Bull, Wendell	Travel	\$47.36
Hutchison, Lyla	Travel	\$59.20
	<b>General Fund Total</b>	<b>\$19,437.69</b>

#### Road & Bridge

Road & Bridge	August Salaries	\$7,663.84
and additional overtime of		\$30.00
A & B Welding	Repair	\$41.54
AT&T Mobility	Cell Phone	\$86.79
Bennett County Booster	Publishing	\$36.90
Edgemont Herald Tribune	Publishing	\$26.62
Ferguson, Buzzy	Gravel	\$383.76
Great Plains Communicatio	Telephone	\$178.99
Pine Valley Eco Products	Supply	\$942.34
Husker Auto Parts	Supply	\$65.99
John Deere Financial	Repair	\$1,740.20
MCI Comm Service	Telephone	\$46.73
Todd County Tribune	Publishing	\$73.80
	<b>Road &amp; Bridge Total</b>	<b>\$11,317.50</b>

**Grand Total** **\$30,755.19**

A hearing on supplements and contingency transfers was held as advertised. Motion by Kehn, seconded by White Hawk, to approve supplements and contingency transfers as follows. With no further discussion and all voting yes, the motion carried.

#### SUPPLEMENTS

<u>Mr #</u>	<u>Date</u>	<u>Amount</u>	<u>Dept</u>	<u>Grant</u>
15050	7/31/2012	\$20,164.33	Annual Fire Payment	No
15050	8/12/2013	<u>\$5,643.42</u>	M & P	No
		\$25,807.75		

#### CONTINGENCY TRANSFERS

<u>Description</u>	<u>Amount</u>
Prisoner Board	\$1,932.00
Mentally Handicapped	\$2,015.00

Mental Illness Board            \$1,227.00  
  \$3,947.00

Highway Superintendent Lynx Bettelyoun discussed updates and upcoming training. Motion by Diaz, seconded by Hutchison, to approve Karen Bush attending D-Ware training in Deadwood on October 16-17, 2013. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by White Hawk, to approve private road contracts for William Farris in the amount of \$42.00, Larry Kehn in the amount of \$118.00 and Merlyn Jacobson in the amount of \$204.00, of which all are paid. With no further discussion and all voting yes, the motion carried.

Fuel quotes were presented.

	<u>500 gal. Unleaded</u>	<u>2,000 gal. Diesel</u>
Westco	\$3.505 / gal.	\$3.442 / gal.
Nelson's	no bid	
Pine Ridge Oil	no bid	

Motion by Kehn, seconded by Hutchison, to approve Westco's bid of \$3.505 per gallon for 500 gallons of unleaded and \$3.442 for 2,000 gallons of diesel as the lone bids. With no further discussion and all voting yes, the motion carried.

Sealed bids for the motor grader were opened at 12:30 PM as advertised. Bids received by the deadline were \$26,609.00 from Ray's Used Equipment, Nocona, TX, and \$34,528.00 from Butler Machinery, Rapid City. Motion by Kehn, seconded by White Hawk, to approve the sealed bid made by Butler Machinery in the amount of \$34,528.00 for the surplus 1985 130G motor grader. With no further discussion and all voting yes, the motion carried.

Susie Hayes, Director of Equalization, presented a travel request. Motion by Hutchison, seconded by Kehn, to approve travel for Jacki Miller, Appraiser, to attend the annual assessor's school held in Pierre on September 8-13, 2013, at a cost of \$815.00. With no further discussion and all voting yes, the motion carried.

Frank Ecoffey met with the Board to request a tax exempt status for the Wounded Knee District Community Development Corporation, which is a 501-C3 organization, for a planned campground facility. The Board advised Ecoffey that a copy of their charter and 501-C3 exempt certificate are needed for the exemption and asked Hayes to confer with the State's Attorney. The matter will be continued at the next meeting.

Frank Maynard, Emergency Management, presented the Hazard Mitigation Plan. Motion by White Hawk, seconded by Diaz, to approve the Professional Agreement for the Hazard Mitigation Plan between Shannon County and the Oglala Sioux Tribe. With no further discussion and all voting yes, the motion carried.

The 2014 Provisional Budget hearing was held as advertised. Motion by Kehn, seconded by Hutchison, to table approval of the provisional budget until a special meeting, to be held prior to the month's end. With no further discussion and all voting yes, the motion carried and the matter tabled.

The Board reviewed a resolution regarding the lack of federal compensation for tribal trust lands and the constrictions it places on providing county services to residents. Motion by Hutchison, seconded by Kehn, to approve Resolution #2013-04 as follows and to send it to congressional delegates and the Governor, along with a cover letter. With no further discussion and all voting yes, the motion carried.

**SHANNON COUNTY RESOLUTION #2013-04  
TO SECURE FEDERAL FUNDING IN LIEU OF PROPERTY TAXES  
ON NATIVE AMERICAN TRUST LANDS**

**Whereas:** Shannon County, South Dakota is the second poorest County in the United States; and

**Whereas:** Shannon County, South Dakota is in imminent danger of bankruptcy; and

**Whereas:** approximately eighty-six percent of Shannon County is Native American trust land, the largest percentage of any South Dakota County; and

**Whereas:** all Native American trust lands are held in trust for individual Native Americans by the federal government; and

**Whereas:** Native American trust land does not generate property taxes; and

**Whereas:** monies derived from property taxes are the main source of funding for county services to all residents of the county; and

**Whereas:** of the 1,342,080 acres in Shannon County, 187,891 acres, representing fourteen percent of the total lands, are subject to property tax; and

**Whereas:** of the 13,586 Shannon County residents, only 386 citizens are private landowners and pay local property taxes, which are currently taxed at the maximum allowable mill levy; and

**Whereas:** only 1,978 acres of the un-taxable acreage in Shannon County qualifies for PILT funds, providing \$4,763.00 in 2013, a miniscule one-one-thousandth of a percent of the \$401.7 million dollars distributed this year; and

**Whereas:** the Shannon County General Fund budget for 2013 is \$383,080.00, which equals only \$28.20 per Shannon County resident for the provision of services, compared to the range of \$314.44 to \$700.73 per person available to neighboring counties; and

**Whereas:** the 2012 annual real estate property taxes for Shannon County totaled \$427,318.47, of which \$205,235.18 was distributed to the school district, \$1,542.08 to the City of Batesland and \$220,541.21 was distributed to the County for the provision of county services; and

**Whereas:** due to budget restrictions, all non-essential expenses have been cut, including jail costs, court appointed attorney fees, judicial expenses, juvenile care, law library funding, indigent burials, county poor assistance, Extension services, Soil Conservation and weed control. Funding has been cut in every department except Elections, for which there are federally mandated obligations, and the Highway Department; and

**Whereas:** the property tax loss due from the 992,020 acres of trust lands in Shannon County, when figured at the most conservative property tax rate, is estimated at nearly \$1.2 million dollars annually, which does not include any compensation for the 131,505 additional acres of National Park land; and

**Whereas:** Native American people who live on trust property in Shannon County are residents and citizens of the county. They live here, work here, send their children to school here, vote here, hold public offices here, recreate here and are part of the local community; and

**Whereas:** Native American people who live on trust land have the right to county public services the same as any other county citizen; and

**Whereas:** Shannon County is obligated to provide county services to all residents of the county including Native American people living on trust lands; and

**Whereas:** census figures indicate Native Americans comprise ninety-two percent of the population of Shannon County; and

**Whereas:** the federal government pays no compensation to Shannon County for public services rendered to Native American people; and

**Whereas:** a Supreme Court ruling in 1831 (Cherokee Nation versus Georgia) determined that the federal government is responsible for all Native American peoples wants and needs; and

**Therefore, be it resolved:** The Shannon County Board of Commissioners demand that the Congress of the United States live up to its obligation under the Supreme Court decision in Cherokee Nation versus Georgia, 1831, and provide funding adequate to fund the County services provided to Native American people living on trust lands in Shannon County, if not in a direct payment of property taxes (approximately \$2 million annually), then in some form of Impact Aid to the County similar to Impact Aid for Schools.

**Dated** this 6<sup>th</sup> day of September, 2013.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

/s/ Lyla Hutchison

Lyla Hutchison

/s/ Bryan Kehn

Bryan Kehn

/s/ Anna Diaz

Anna Diaz

/s/ Eugenio White Hawk

Eugenio White Hawk

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor

Motion by Kehn, seconded by Hutchison, to table a matter regarding vehicle taxes that was on the agenda at the request of John Black Feather, referring the matter to the State's Attorney to assist him. With no further discussion and all voting yes, the motion carried and the item was tabled.

Sheriff Jim Daggett presented his monthly report and requested travel approval. Motion by Kehn, seconded by Diaz, to approve a travel request for Daggett to attend training on child abuse in Sioux Falls on October 4, 2013. With no further discussion and all voting yes, the motion carried.

A brief discussion was held on White Clay issues and horses. Motion by Hutchison, seconded by White Hawk, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:38 PM.

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Shannon County Commissioners