

SHANNON COUNTY MINUTES OF AUGUST 5, 2011

The Shannon Board of County Commissioners met in regular session on August 5th, 2011. Present: Lyla Hutchison, Bryan Kehn, Deloris Hagman, and Sue Ganje, Auditor. Absent: Wendell Yellow Bull and Eugenio White Hawk.

The Pledge of Allegiance was given and the meeting called to order at 12:29 p.m.

The Board reviewed the agenda for conflicts and none were found.

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

Motion by Kehn, seconded by Hagman, to approve the minutes of the July 1, 2011 meeting. With no further discussion and all voting yes, the motion carried.

Toby Morris, Shannon County Schools, met to explain the recent annexation of school properties into the Town of Batesland and requested plat and annexation approval.

Motion by Hagman, seconded by Kehn, to approve the annexation of school property into the Town of Batesland as presented. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to approve the plat of Lot 1 of Batesland School Addition and Dedicated Right-of-Way of Ash Street, 60' Utility Easement as follows, contingent upon meeting the filing requirements of the Register of Deeds. With no further discussion and all voting yes, the motion carried

SHANNON COUNTY RESOLUTION #2011-06

WHEREAS, there has been presented to the County Commissioners of Shannon County, South Dakota, the within plat of Lot 1 of Batesland School Addition and Dedicated Right-of-Way of Ash Street, 60' Utility Easement (formerly Block 3 of Weaver's Addition to Batesland, as shown on the plat filed May 2, 1929, in Book I of Plats, page 52; and formerly the un-platted portion of Government Lot 4 of Section 1, T36N, R41W of the 6th P.M. being shown on said Plat of Weaver's addition as a strip of land 27' x 320' lying adjacent and South of Block 3 of Weaver's Addition, said tract also being shown as Outlot D to Batesland on Annexation Map filed in Book IX of Plats, page 27 and on Annexation Map filed in Book IX of Plats, page 48 and said Tract also described as follows: beginning at the Southwest Corner of Block 3 of Weaver's Addition to Batesland, Shannon County, South Dakota, thence proceeding due East 320 feet; thence proceeding due South 27 feet; thence proceeding due West 320 feet; thence proceeding due North 27 feet to the point of beginning; and formerly a Tract of land described as follows: beginning at a point 960 feet due South and 388 feet due East of the Northwest corner of Government Lot 4 of Section 1, T36N, R41W, thence proceeding due East a distance of 150 feet, thence proceeding due North a distance of 177 feet, thence proceeding due West a distance of 150 feet, thence proceeding due South a distance of 177 feet to the point of beginning and said Tract being also described as: beginning at a point 27 feet South and 33 feet East of the Southeast corner of Block 3 of Weaver's Addition to Batesland, South Dakota, thence proceeding due East 150 feet, thence proceeding due North 177 feet, thence proceeding due West 150 feet, thence proceeding due

South 177 feet to the point of beginning and said Tract also shown as Outlot B to Batesland on Annexation Map filed in Book IX of Plats, page 27, and also shown as School Buildings (previously surveyed) on Plat of School Lands, Shannon County Independent School District No. 1, Batesland filed in Book IX of Plats, page 45, and as shown as Outlot B to Batesland on Annexation Map filed in Book IX of Plats, page 48; and formerly a Tract of land described as follows: beginning at a point 960 feet due South and 536 feet due East of the Northwest corner of Government Lot 4 of Section 1, T36N, R41W, thence proceeding due East a distance of 170 feet, thence proceeding due North a distance of 177 feet, thence proceeding due West distance of 170 feet, thence proceeding due South a distance of 177 feet to the point of beginning and also shown as Outlot H on Plat of School Lands, Shannon County Independent School District No. 1, Batesland filed in Book IX of Plats, page 45 and also shown as School Property on Annexation Map filed in Book IX of Plats, page 48; and formerly vacated street as set forth in Resolution recorded August 17, 1957 in Book 4 of Misc., pages 381-322, described as follows: beginning at the Northeast Corner of Block 3 of Weaver's Addition to Batesland, thence proceeding due East a distance of 33 feet, thence due South a distance of 177 feet, thence due West a distance of 33 feet, thence due North a distance of 177 feet to the point of beginning; and formerly the NW ¼ NW ¼ SW ¼ and the N ½ SW ¼ NW ¼ SW ¼ of Section 1, T36N, R41W; and Vacated Rights-of-Way, including Streets and Alleys lying within said boundaries) all located in the W ½ (A/K/A Government Lot 4 and the SW ¼) of Section 1 in Township 36 North of Range 41 West of the 6th PM, Batesland, Shannon County, South Dakota.

WHEREAS, it appearing to this Board that the system of streets conforms to the system of streets of existing plats and sections lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the County subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed,

NOW THEREFORE, BE IT RESOLVED, that said plat is hereby approved in all respects.

Dated at Shannon County, South Dakota this 5th day of August, 2011.

/S/Lyla Hutchison

Lyla Hutchison, Chairwoman

Board of Shannon County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Shannon County Auditor

Terri Halls, Director of Equalization, met with the Board to request travel approval. Motion by Kehn, seconded by Hagman, to approve the travel request for Deputy Director of Equalization Susie Hayes to attend the 2011 Assessor's school in Pierre on Sept. 19-23, at a cost of \$840.36. With no further discussion and all voting yes, the motion carried.

Lynn Bettelyoun, Highway Superintendent, advised the Board that all county roads have been mapped with a GPS for culvert locations and the Town of Batesland has been mapped for manhole locations. Repair costs on the '92 grader were approximately \$4,800.00; less than the \$24,000.00 estimated. Discussion was held on mowing county roads and problems with the Wakpamni Road. Don Deckert submitted a bill in the amount of \$550.00 to the county for roadwork he completed on his own volition; discussion was held on the need for a culvert on the road.

Motion by Hagman, seconded by Kehn, to deny the claim for road work as submitted by Don Deckert. With no further discussion and all voting yes, the motion carried.

Fuel quotes were presented for approval as follows:

| | | |
|-----------------|-----------------------------|--------------------------------|
| (7-13-11) | <u>500 Gal Unleaded Gas</u> | <u>1,200 Gal #2 Red Diesel</u> |
| WESTCO: | \$3.527 PER GALLON | \$3.388 PER GALLON |
| PINE RIDGE OIL: | No Response | No Response |
| NELSON'S: | No Response | No Response |

Motion by Kehn, seconded by Hagman, to accept the bid of Westco for 500 gal. of unleaded gas at \$3.527 per gal. and 1,200 gal. of #2 red diesel at \$3.388 per gal. as the low bids. With no further discussion and all voting yes, the motion carried.

Randall Blaze met with the Board to discuss cows straying onto his property and to discuss a gate on a BIA road that doesn't open. Mr. Blaze was referred to the BIA.

Nick Tilsen, Executive Director, and Scott Moore, Project Coordinator of Thunder Valley Community Development Corporation, updated the Board on the project and presented a plat for approval. Motion by Kehn, seconded by Hagman, to approve the following plat of a Portion of Tract A of the SW ¼ and SE ¼ of Section 34 as follows. With no further discussion and all voting yes, the motion carried.

SHANNON COUNTY RESOLUTION #2011-07

WHEREAS, there has been presented to the County Commissioners of Shannon County, South Dakota, the within a Portion of Tract A of the SW ¼ and SE ¼ of Section 34, T40N, R43W, 6th P.M., Shannon County, South Dakota, and

WHEREAS, it appearing to this Board that the system of streets conforms to the system of streets of existing plats and sections lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the County subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed,

NOW THEREFORE, BE IT RESOLVED, that said plat is hereby approved in all respects.

Dated at Shannon County, South Dakota this 5th day of August, 2011.

/S/Lyla Hutchison

Lyla Hutchison, Chairwoman

Board of Shannon County Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Shannon County Auditor

Tilsen and Moore also gave the Board an overview of the Thunder Valley Community Development Corporation and the Oyate Omniciyé plan, along with an invitation to become a member of the consortium. The Board thanked them for their presentation and the Resolution will be on the next agenda for review and approval.

Deputy State's Attorney Pat Ginsbach presented five pipeline easements for OST Rural Water.

Motion by Kehn, seconded by Hagman, to approve a pipeline easement for OST Rural Water for County Roads 15 and 16, commencing in and running between Sections 3 and 4, all in Township 35, Range 41 West, Shannon County, South Dakota and Sections 33 and 34, Township 36N, R41, Shannon County, South Dakota, as submitted. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Kehn, to approve a pipeline easement for OST Rural Water for County Road #198th Avenue, commencing in and running between Sections 11 and 12 and Sections 1 and 2, all in Township 36, Range 41 West, Shannon County, South Dakota, as submitted. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to approve a pipeline easement for OST Rural Water for County Road 15, commencing in and running between Sections 21 and 22, all in Township 36, Range 41 West, Shannon County, South Dakota, as submitted. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to approve a pipeline easement for OST Rural Water for County Road 15, commencing in and running from Section 36 in Township 36, Range 42 West, Shannon County, South Dakota, through Sections 32 and 36 N R41W, Shannon County, South Dakota, as submitted. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Kehn, to approve a pipeline easement for OST Rural Water for County Road 15, commencing in and running through Section 36, all in Township 36, Range 42 West, Shannon County, South Dakota, as submitted. With no further discussion and all voting yes, the motion carried.

Sheriff Daggett provided his monthly report to the Board, which was read by the Chairman as Daggett was called away from the meeting.

Veterans Services Office Archie Hopkins' monthly report, which included a request for travel approval, was reviewed and placed on file,. Motion by Kehn, seconded by Hagman, to approve travel and advanced mileage and per diem funds for Hopkins to attend the Veterans Benefits School August 29–31, 2011 in Pierre. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Kehn, to approve the Auditor's Account with the Treasurer. With no further discussion and 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 31st day of July, 2011.

| | |
|--|------------------------|
| TOTAL AMT OF DEPOSIT IN BANK OF THE WEST - | \$ <u> 0</u> |
| TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK - | \$ <u> 1,391.97</u> |
| TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANK, HS - | \$ <u> 8,822.81</u> |
| TOTAL AMT OF ACTUAL CASH - | \$ <u> 1,646.81</u> |
| TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS - | \$ <u> 755.83</u> |

| | | |
|-----------------------|--------------------------------------|-----------------------|
| MONEY MARKET SAVINGS: | BANK OF THE WEST - | \$ <u> 0</u> |
| | WELLS FARGO BANK - | \$ <u> 1,140.68</u> |
| | FIRST INTERSTATE BANK, Hot Springs - | \$ <u>222,650.13</u> |

| | |
|--|----------------------|
| CERTIFICATES OF DEPOSIT-FIRST INTERSTATE BANK, Hot Springs - | \$ <u>250,000.00</u> |
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Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:

Sheriff Change fund: \$200.00

Election Petty Cash: \$15.00

RETURNED CHECKS:

| | | | |
|--------------------------------|--------------|--------------------------------|---------------|
| Black Feather, David - | \$75.00, Lic | Lone Hill, Trina, 1/27/04 - | \$20.70, Lic |
| Blethen, Rene, 5/16/06 - | \$48.25, Lic | Mesteth, Perry, 8/29/03 - | \$63.00, Lic |
| Broken Nose, Leroy, 3/5/07 - | \$44.50, Lic | Morrison, Nadine, 9/16/01 - | \$15.00, Lic |
| Burgess, Jeanne, 5/8/98 - | \$45.00, Lic | Old Horse, John, 2/10/98 - | \$15.00, Lic |
| Garnett, Aqualyne, 5/11/98 - | \$64.00, Lic | One Feather, Delmar, 7/12/10 - | \$40.00, Lic |
| Goings, Tanya L., 4/6/99 - | \$71.00, Lic | Parton, Joy, 8/15/06 - | \$32.00, Lic |
| Janis, Jennifer - Lic | \$90.50, Lic | Pourier, Joel, 10/11/96 - | \$349.00, Lic |
| Lange, Stephen, 6/27/11 - | \$94.20, Lic | Red Cloud, John - | \$45.90, Lic |
| Little, Raine, 7/25/11- | \$99.50, Lic | Ross, William, 9/15/11 - | \$53.00, Lic |
| Little Hawk, Jolene, 7/15/09 - | \$32.40, Lic | | |

TOTAL - \$487,921.18

DATED this 31st day of July, 2011

/S/Sue Ganje, Auditor

SUE GANJE, COUNTY AUDITOR OF SHANNON COUNTY

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 Kehn, seconded by Hagman, to approve a travel request for the Auditor, Treasurer and Register of Deeds to attend the County Officials Fall Convention in Rapid City Sept. 19 – 21, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Kehn, to approve Kehn attending the Fall County Convention in Rapid City Sept. 19 – 21, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to approve the following bills as presented. With no further discussion and all voting yes, the motion carried.

GENERAL FUND

| | | |
|--------------------------|---------------|------------|
| COMMISSIONERS | JULY SALARIES | \$471.75 |
| AUDITOR'S OFFICE | JULY SALARIES | \$2,603.64 |
| TREASURER'S OFFICE | JULY SALARIES | \$2,597.95 |
| STATE'S ATTORNEY OFFICE | JULY SALARIES | \$1,104.37 |
| DIRECTOR OF EQUALIZATION | JULY SALARIES | \$1,382.29 |
| REGISTER OF DEEDS | JULY SALARIES | \$1,183.35 |
| VETERANS SERVICES | JULY SALARIES | \$794.16 |
| SHERIFF'S OFFICE | JULY SALARIES | \$2,336.74 |
| AT&T MOBILITY | CELL PHONE | \$123.33 |
| CENTURY BUSINESS | COPIER | \$13.50 |

| | | |
|------------------------|---------------------------|--------------------|
| CODY, DENISE | MI | \$30.00 |
| CULLIGAN | SUPPLY | \$15.25 |
| DIETRICH, DONNA | MI | \$317.28 |
| CARDMEMBER SERVICE | MISC | \$1,404.06 |
| HAGMAN, DELORIS | TRAVEL | \$35.52 |
| HOPKINS, ARCHIE | TRAVEL | \$176.12 |
| HOSMER, DAVID | MI | \$88.32 |
| KEHN, BRYAN | TRAVEL | \$66.60 |
| LAKOTA COUNTRY TIMES | PUBLISHING | \$623.00 |
| MARTINEZ, AUDREY L | TRAVEL | \$67.34 |
| OGLALA SIOUX TRIBE | RENT | \$500.00 |
| OLSON AUTO | CAR MAINT | \$159.56 |
| QUILL CORPORATION | SUPPLY | \$141.35 |
| REHFUSS, CATHY | MI | \$15.00 |
| SDAAO | TRAVEL | \$250.00 |
| SHANNON COUNTY SHERIFF | PETTY CASH | \$68.96 |
| SWANDA, KAREN | MI | \$15.00 |
| VERIZON WIRELESS | CELL PHONE | \$31.91 |
| WHITE HAWK, EUGENIO | TRAVEL | \$69.56 |
| WHITE HAWK, EUGENIO | TRAVEL | \$69.56 |
| YELLOW BULL, WENDELL | TRAVEL | \$47.36 |
| YELLOW BULL, WENDELL | TRAVEL | \$47.36 |
| HUTCHISON, LYLA | TRAVEL | \$59.20 |
| | GENERAL FUND TOTAL | \$16,909.39 |

ROAD & BRIDGE

| | | |
|---------------------------|---------------|------------|
| ROAD & BRIDGE | JULY SALARIES | \$8,224.64 |
| & ADDITIONAL OVERTIME FOR | | |
| RICHARD COTTIER | | \$180.00 |
| A & B WELDING | REPAIR | \$37.20 |
| AT&T MOBILITY | CELL PHONE | \$88.16 |
| BUTCH'S | REPAIR | \$201.00 |
| BUTLER MACHINERY CO. | REPAIR | \$4,843.11 |
| CULLIGAN | SUPPLY | \$19.00 |
| CARDMEMBER SERVICE | MISC | \$87.68 |
| GENERAL STORE | SUPPLY | \$214.90 |
| GODFREY BRAKE SERVICE AND | SUPPLY | \$102.77 |
| GREAT PLAINS COMMUNICATIO | TELEPHONE | \$159.79 |
| GREAT WESTERN TIRE INC. | SUPPLY | \$964.90 |
| HOT SPRINGS ACE | SUPPLY | \$164.15 |
| HUSKER AUTO PARTS | REPAIR | \$786.42 |
| LACREEK ELECTRIC ASSOC | UTILITY | \$328.83 |
| MARTIN AUTO PARTS | REPAIR | \$64.37 |
| MCI COMM SERVICE | TELEPHONE | \$44.61 |

| | | |
|---------------------------|--------------------------------|--------------------|
| MENARDS | SUPPLY;REPAIR | \$312.53 |
| PINE RIDGE AUTO PARTS | REPAIR | \$93.29 |
| SD FEDERAL PROPERTY AGCY | SUPPLY | \$36.25 |
| SIOUX NATION SHOPPING CTR | SUPPLY | \$37.62 |
| TRUE VALUE | REPAIR | \$58.40 |
| VALLETTE, DAVID R | SUPPLY | \$376.00 |
| WESTCO | FUEL | \$5,794.70 |
| | ROAD & BRIDGE TOTAL | \$23,220.32 |
| | GRAND TOTAL | \$40,129.71 |

Motion by Kehn, seconded by Hagman, to authorize a letter to the congressional delegates to formally request Payment in Lieu of Taxes funding as compensation for non-taxable trust lands located within the county. With no further discussion and all voting yes, the motion carried.

A hearing for supplements was held as advertised. Motion by Kehn, seconded by Hagman, to approve the following supplements from the General Fund: \$1,684.80 to Elections; \$14,761.00 to the State's Attorney; \$17,500.00 to the Highway Department. With no further discussion and all voting yes, the motion carried.

The 2012 Budget was reviewed, and the Auditor authorized to submit a Provisional Budget for publication.

Motion by Hagman, seconded by Kehn, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 4:43 p.m.

/S/ Lyla Hutchison

Lyla Hutchison, Chairman

Board of Shannon County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor