

OGLALA LAKOTA COUNTY APPROVED MINUTES OF FEBRUARY 12, 2020

The Oglala Lakota Board of County Commissioners met in regular session on February 12, 2020. Present: Art Hopkins, Ramon Bear Runner, Eugenio White Hawk, Wendell Yellow Bull and Sue Ganje, Auditor. Anna Takes the Shield was absent.

The Pledge of Allegiance was given, and the meeting called to order at 1:26 p.m. by Vice-chairman White Hawk. The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Bear Runner briefly discussed a resolution for the 2020 census and the auditor discussed a polling place resolution and a facility use permit. They were unable to get these items on the agenda in time. A special meeting will be set up.

Motion made by Bear Runner, seconded by Hopkins, to approve the agenda as written.

Motion made by Hopkins, seconded by Bear Runner, to approve the minutes of January 8, 2020 and January 13, 2020.

Motion made by Bear Runner, seconded by Hopkins, to approve the Auditor's Account with the 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 December 2019.

| | |
|--|-----------------------|
| Total Amt of Deposit in First Interstate Bank, HS: | <u>\$157,887.44</u> |
| Total Amount of Cash: | <u>\$658.70</u> |
| Total Amount of Checks in Treasurer's | |
| Possession Not Exceeding Three Days: | <u>\$1,226.83</u> |
| MONEY MARKET SAVINGS: | |
| First Interstate-Hot Springs: | <u>\$1,835,066.06</u> |
| CERTIFICATES OF DEPOSIT: | |
| First Interstate-Hot Springs: | <u>\$200,545.51</u> |
| Black Hills Federal Credit Union: | <u>\$50,000.00</u> |

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:

TOTAL \$2,245,677.14

Dated this 31st day of December 2019.

/s/Sue Ganje

Sue Ganje, County Auditor of Oglala Lakota County

County Monies: \$2,167,485.92

Held for other Entities: \$28,265.60

Held in Trust: \$49,925.62

TOTAL: \$2,245,677.14

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 made by Yellow Bull, seconded by Hopkins, to set aside resolution #95-8 in the event they want to update, and for it to no longer be in effect unless updated.

Bear Runner presented maps and discussed the census resolution, noting the importance that all individuals are counted as this helps the county and tribe qualify for funding in each jurisdiction.

White Hawk, Vice Chairman, signed the 2020 initial Boundary Validation Program (BVP), noting that the legal boundary for our government (county) is correct.

Susie Hayes, Director of Equalization, met with the board to present abatement and refund requests. Motion made by Bear Runner, seconded by Yellow Bull, to approve a refund for Pine Ridge Baptist Church, parcel #09000-03641-304-20, for '17 pay '18 taxes, in the amount of \$4,764.54. Reason: Church was granted tax exempt status in 2015, do not need to re-file until 2020, so should not have been taxed.

Motion made by Yellow Bull, seconded by Bear Runner, to approve the abatement for Edson R. Briggs, parcel #80000-00200-002-00, for '19 pay '20 taxes, in the amount of \$90.37. Reason: Property valued at 100%, should have had an 80% partial complete OBSO applied to the value.

Motion made by Yellow Bull, seconded by Bear Runner, to approve the abatement for USA in Trust for Oglala Sioux Tribe, parcel #03000-03543-142-00, \$.76; #13000-03645-024-00, \$.54; #13000-03645-211-00, \$6.72; #15000-03647-361-00, \$5.21; #18000-03742-134-00, \$.10; #20000-03744-163-00, \$.10; #20000-03744-313-00, \$.22; #24000-03748-132-00, \$2.38; #42000-04042-231-00, \$.32; #41000-04041-102-01, \$.76; and #34000-03942-271-00, \$7.81, all

for '19 pay '20 taxes, total of \$24.92. Reason: The parcels went exempt when placed in trust on December 18, 2018.

Motion made by Bear Runner, seconded by Yellow Bull, to approve the pro-rated refund for the USA in Trust for Oglala Sioux Tribe, parcel #33000-03941-291-00, \$173.48; #33000-03941-291-11, \$60.99; #18000-03742-284-00, \$.55; #19000-03743-101-00, \$1.32; #19000-03743-151-00, \$.95; #19000-03743-222-00, \$.27; #19000-03743-321-00, \$10.63; #19000-03743-321-10, \$2.18; #28000-03844-223-01, \$.18; #28000-03844-233-01, \$.18; #34000-03942-262-00, \$4.09; #38000-03946-072-00, \$.45; #38000-03946-072-10, \$.36; #38000-03946-182-00, \$.13; #38000-03946-182-10, \$.09; #43000-04043-253-00, \$.50; #43000-04043-253-10, \$1.05; #43000-04043-261-00, \$8.18; #34000-03942-262-10, \$6.54; #36000-03944-022-00, \$.18 and #43000-04043-261-10, \$13.08. total of \$254.82, all for '18 pay '19 taxes. Reason: Property went into trust on July 19, 2018.

Lynx Bettelyoun met with the board. Fuel quotes were presented as follows:

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|----------------|---------------------|---------------------|
| 1-27-20 | 550-Gal Unloads Gas | 900-Gal Ruby Diesel |
| Westco | \$2.469/gal | \$2.469/gal |
| Pine Ridge Oil | No Bid | No Bid |
| Nelson's | No Bid | No Bid |

Motion made by Yellow Bull, seconded by Hopkins, to approve the low and only bid from Westco at \$2.469 per gallon for 550 gallons (or full) of unleaded gas for a total amount of \$1,357.95 and \$2.469 per gallon for 900 gallons (or full) of Ruby diesel for a total of \$2,222.10.

Motion made by Yellow Bull, seconded by Hopkins, to approve the private road contract for Kelly Jensen, in the amount of \$468.00 for road work and snow removal.

Motion made by Yellow Bull, seconded by Bear Runner, to approve travel for Bettelyoun, to attend the Short Course in Deadwood on March 25 and March 26, 2020.

Bettelyoun presented his 5-year plan for gravel and culvert projects, starting in 2020. Motion made by Yellow Bull, seconded by Bear Runner to accept the 5-year plan for the Highway Department.

Bettelyoun updated the board on activities. Discussion was held on road project costs and training.

Motion made by Yellow Bull, seconded by Bear Runner, to approve the December 20, 2019 through January 27, 2020 sheriff fuel transfer to reimburse the highway for 327.6 gallons of fuel at \$2.605 per gallon, for a total of \$853.40.

The 2020 private road work hearing was held as advertised. Motion made by Yellow Bull, seconded by Bear Runner to continue with private road work as per SDCL 31-11-41 through 31-11-45.

Kelli Rhoe, Treasurer, met with the board to discuss the criteria for a Kiosk in the county for license plate renewals and possible locations. Rhoe will continue correspondence with the state, visit possible locations.

Joe Herman, Sheriff, presented an overview of activities in 2019 by his department, which included total budget spent, inventory list, incident report (by category), staff/training and patrol vehicle status. Herman noted that Deputy Davis's work included tracking down over 200 missing or stolen cattle, with the suspect(s) turned over to the tribe. Herman gave information on the search for the missing men, and noted he applied for a \$10,000 Homeland Security Grant for a drone.

Art Hopkins, Commissioner, discussed with the board an optional alternate form of government he had read about. State's Attorney Ahrendt advised that a county manager worked with resolutions and board regulations, attended meetings, prepared and administered budgets and advised the board of their financial situations. A county manager could appoint and hire staff to assist in the administration of county affairs, and other duties assigned by the board. Ahrendt noted that this form of government was utilized more in larger counties and would cost more money.

Discussion was held on the upcoming Oglala Sioux Tribe referendum election that could legalize alcohol at the casinos and legalize recreational and medical marijuana. Also discussed were the licenses and jurisdictional issues. The auditor will give a follow up on that at the next meeting.

Discussion was held on commissioner training for a better understanding of contracts, laws and memorandum of agreements, and handbooks and/or look at websites to help further their knowledge.

Discussion on the 211-resource database will be brought back to the next meeting.

Motion made by Yellow Bull, seconded by Bear Runner, to hold a special meeting on Friday, February 14, 2020, at 10 a.m., via teleconference, for the census resolution and election items.

Motion made by Bear Runner, seconded by Yellow Bull, to approve the bills as follows:

GENERAL FUND

| | | |
|---------------------------|---------------------------|------------|
| AMERITAS LIFE INS. CORP. | DENTAL/VISION INSURANCE | \$17.92 |
| AT&T MOBILITY | WIRELESS PHONE SHERIFF | \$53.84 |
| AT&T TELECONFERENCE | TELECONFERENCE | \$8.91 |
| BEAR RUNNER, RAMON | MILEAGE | \$53.76 |
| BEHAVIOR MANAGEMENT SYS | 2020 BUDGET ALLOTMENT | \$3,000.00 |
| CENTURY BUSINESS | COPIER LEASE/METER | \$20.11 |
| DAKOTA CONSTRUCTORS, INC. | POSTAGE REFUND | \$13.65 |
| ELECTION SYSTEMS & SOFT | ELECTION SYSTEM EQUIPMENT | \$1,173.02 |
| EFTPS | EFTPS PAYROLL TAXES | \$2,613.89 |

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|---------------------------------|--|-------------|
| FALL RIVER CO. SHERIFF | INMATE HOUSING | \$1,445.00 |
| CARDMEMBER SERVICE | CARDMEMBER SERVICES | \$948.31 |
| FIRST INTERSTATE BANK | FIRST INTERSTATE | \$34.00 |
| GOLDEN WEST | LOCAL PHONE/EMAIL/LONG DISTANCE | \$310.10 |
| HOPKINS, ARTHUR L | MILEAGE | \$95.76 |
| LAKOTA TIMES | PUBLICATION | \$391.55 |
| MARTIN AUTO PARTS | PARTS/SUPPLY | \$46.55 |
| MARTINEZ, AUDREY | CORONER MILEAGE | \$172.62 |
| MASTEL, BRUCE | WEB HOST/UPDATE/SERVER | \$35.00 |
| MICROFILM IMAGING SYSTEMS | SCANNING EQUIP LEASE | \$17.50 |
| NACVSO | 2020 MEMBERSHIP | \$50.00 |
| NEOFUNDS | POSTAGE | \$235.12 |
| OGLALA SIOUX TRIBE | MONTH RENT FOR VETERAN SERVICE OFFICER | \$100.00 |
| OUR LADY OF SIOUX CHURCH | ELECTION HALL RENT | \$200.00 |
| QUALIFIED PRESORT SERVICE | PROFESSIONAL SERVICE | \$278.30 |
| QUILL CORPORATION | SUPPLY | \$349.94 |
| RELIANCE STANDARD | LIFE INSURANCE | \$38.75 |
| SDAAO | 2020 MEMBER/FRANCES | \$75.00 |
| SD DEPT OF HEALTH LAB | BLOOD DRAWS | \$180.00 |
| SDVSOA | 2020 MEMBERSHIP | \$100.00 |
| SECRETARY OF STATE | PISTOL PERMITS | \$21.00 |
| OL COUNTY TREASURER | SALES TAX | \$9.08 |
| SD STATE RETIREMENT | SDRS CONTRIBUTIONS | \$1,266.48 |
| STEINLEY REAL ESTATE APP | 7-HOUR USPAP UPDATE | \$210.00 |
| SUMMIT SIGNS & SUPPLY INC | DECALS | \$107.35 |
| WHITE HAWK, EUGENIO | MILEAGE | \$75.60 |
| YELLOW BULL, WENDELL | MILEAGE | \$53.76 |
| COMMISSIONERS | JANUARY SALARIES | \$966.00 |
| AUDITOR'S OFFICE | JANUARY SALARIES | \$1,389.58 |
| TREASURER'S OFFICE | JANUARY SALARIES | \$1,389.58 |
| STATE'S ATTORNEY'S OFFICE | JANUARY SALARIES | \$2,583.33 |
| REGISTER OF DEEDS OFFICE | JANUARY SALARIES | \$1,389.58 |
| VETERAN'S SERVICE OFFICE | JANUARY SALARIES | \$1,291.67 |
| SHERIFF | JANUARY SALARIES | \$4,943.75 |
| CORONER | JANUARY SALARIES | \$625.00 |
| | TOTAL FOR GENERAL FUND | \$28,380.36 |
| COUNTY ROAD & BRIDGE | | |
| AMERITAS LIFE INS. CORP. | DENTAL/VISION INSURANCE | \$405.36 |
| AT&T MOBILITY | WIRELESS PHONE SHERIFF | \$85.03 |
| BLUE CROSS/BLUE SHIELD | HEALTH INSURANCE PREMIUM | \$3,493.32 |
| BUTLER MACHINERY CO. | EQUIP/REPAIR | \$1,683.13 |
| CULLIGAN | UTILITY | \$18.00 |
| EFTPS | EFTPS PAYROLL TAXES | \$2,270.06 |

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|----------------------------|---------------------------------------|--------------|
| CARDMEMBER SERVICE | CARDMEMBER SERVICES | \$397.05 |
| GREAT PLAINS COMMUNICATION | LOCAL PHONE & INTERNET | \$181.26 |
| GREAT WESTERN TIRE INC. | SUPPLY | \$4,729.60 |
| HUSKER AUTO PARTS | AUTO PARTS/SUPPLIES | \$1,186.79 |
| KINETIC LEASING INC | LAST PAYMENT | \$40,185.61 |
| LACREEK ELECTRIC ASSOC | UTILITY/ELECTRIC | \$557.43 |
| LAKOTA TIMES | PUBLICATION | \$21.00 |
| MCI COMM SERVICE | LONG DISTANCE PHONE | \$47.40 |
| MCKIE FORD, INC. | NEW TRUCK FOR OL HWY | \$33,324.00 |
| MENARDS | SUPPLY | \$64.63 |
| RELIANCE STANDARD | LIFE INSURANCE | \$98.50 |
| SDACHS | 2020 SHORT COURSE HWY | \$100.00 |
| SD FEDERAL PROPERTY AGCY | SUPPLIES/EQUIPMENT | \$126.00 |
| OL COUNTY TREASURER | SALES TAX | \$3.12 |
| SD STATE RETIREMENT | SDRS CONTRIBUTIONS | \$1,151.06 |
| WESTCO | FUEL/UTILITES | \$3,841.76 |
| HIGHWAY DEPARTMENT | JANUARY SALARIES | \$10,248.38 |
| HIGHWAY DEPARTMENT | OVERTIME | \$74.25 |
| | TOTAL FOR COUNTY ROAD & BRIDGE | \$104,292.74 |
| | TOTAL PAID BETWEEN 1/9/20 AND 2/12/20 | \$132,673.10 |

Motion made by Hopkins, seconded by Bear Runner, to enter executive session as per SDCL 1-25-2 (3) for legal purposes at 3:25 p.m.

Meeting resumed at 3:37 p.m.

Motion made by Bear Runner, seconded by Yellow Bull, that the court decision referring to Wing's as Eagles supports the tribe's policy on non-profits and other churches.

Motion made by Bear Runner, seconded by Yellow Bull, to deny the request of freezing interest on pay '16 and pay '17 taxes for Wings as Eagles, as the county has no authority to do so.

No public comment was given. Motion made by Bear Runner, seconded by Hopkins, to adjourn at 12:55 p.m.

/s/ Eugenio White Hawk
Eugenio White Hawk, Vice-Chairman
Board of Oglala Lakota County
Commissioners

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