

## SHANNON COUNTY MINUTES OF JANUARY 6, 2012

The Shannon Board of County Commissioners met in regular session on January 6, 2012. Present: Lyla Hutchison, Deloris Hagman, Wendell Yellow Bull, Eugenio White Hawk, Bryan Kehn, and Sue Ganje, Auditor. Absent: none.

The Pledge of Allegiance was given and the meeting called to order at 12:06 p.m.

Agenda was reviewed for conflicts; none were indicated.

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 Hagman, seconded by Kehn, to nominate Hutchison as Chairperson for 2012.

Motion by White Hawk, seconded by Yellow Bull, to nominate Yellow Bull as Chairman for 2012. With no further discussion and by a ballot vote of three votes for Yellow Bull, two votes for Hutchison, Yellow Bull was elected Chairman for 2012 and chaired the remainder of the meeting.

Motion by Hagman, seconded by White Hawk, to nominate Kehn as Vice-Chair for 2012. Hutchison asked that nominations cease and with no further discussion, all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to designate three feet of the bulletin board in the Courthouse Lobby for legal matters with information also going to the courthouses in Kyle and Pine Ridge. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman, to designate the following as locations for Chattel Mortgage Sales: courthouse steps in Hot Springs, Pine Ridge and Kyle. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman, to designate Bank of the West, Wells Fargo Bank, Black Hills Federal Credit Union and First Interstate Bank as official depositories for Shannon County, with First Interstate as the active bank for 2012. With no further discussion and all voting yes, the motion carried.

Burial rates were discussed and Hutchison reported she confirmed with Charlie Rooks that the Tribe uses the federal rate. Motion by Hutchison, seconded by White Hawk, to set burial fees at \$1,300.00 total cost. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Hutchison, to set the cost of prisoner care at \$63.00 per day for Fall River, Meade and Pennington Counties. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to not rehire any employee for a period of one year, if that employee has resigned and withdrawn their Retirement Funds. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, to set Commission meetings at Noon on the first Friday of each month. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to appoint Hutchison as the Commission representative to the Extension Board. With no further discussion, Hutchison abstaining and all others voting yes, the motion carried.

Motion by Kehn, seconded by Hagman, to appoint White Hawk as the Commission representative to the Weed Board. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman, to approve travel of the County Commissioners and Officials to attend Black Hills Association, Spring Workshop, Convention and Legislative meetings and to obtain travel approval for all other meetings. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by White Hawk, to approve the following Resolution. With no further discussion and all voting yes, the motion carried.

**SHANNON COUNTY RESOLUTION #2012-01**

WHEREAS, pursuant to SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Shannon County Board of Commissioners have set the fee for attendance of Election School at \$25.00; and

ALL ELECTION BOARDS WILL RECEIVE A FLAT FEE OF \$105.00; RESOLUTION AND ABSENTEE BOARDS WILL BE SET AT \$7.25 PER HOUR, and

ALL PROVISIONAL BOARDS WILL BE SET AT A \$20.00 FLAT FEE, and

BE IT FURTHER RESOLVED, that the Shannon County Commissioners set the mileage rate at \$.37 per mile for the transporting of ballots and ballot boxes by the precinct superintendent.

Dated this 6th day of January, 2012.

/S/Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Shannon County Board of Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Shannon County Auditor

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

**SHANNON COUNTY RESOLUTION #2012-02**

WHEREAS, the Division of Purchasing and Printing of the State of South Dakota has competitively bid state contracts for the purchase of necessary supplies, equipment and materials for state and local governments, and

WHEREAS, the Shannon County Board of Commissioners is authorized to purchase necessary supplies, equipment and materials for its use, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Shannon County Commissioners enter into an agreement with the Division of Purchasing and Printing of the State of South Dakota to purchase equipment, supplies and materials.

Dated this 6th day of January, 2012.

/S/Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Shannon County Board of Commissioners

ATTEST:

/S/Sue Ganje

Sue Ganje, Shannon County Auditor

Motion by Hutchison, seconded by White Hawk, to table the setting of annual wages until they can meet with Highway Superintendent. With no further discussion and all voting yes, the motion carried and the matter tabled.

Motion by Hutchison, seconded by Kehn, to approve the minutes of the December 28, 2011 meeting. With no further discussion and all voting yes, the motion carried.

The Auditor's Account with the Treasurer was presented for approval. Discussion was held on returned checks included in the report. Motion by Hutchison, seconded by White Hawk to table the discussion to allow for consulting with the State's Attorney regarding the returned check list. With no further discussion and all voting yes, the motion carried and the matter tabled.

Motion by Hagman, seconded by Hutchison, to eliminate compensation for Weed Board meetings. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Hutchison, to eliminate compensation for Extension Board meetings. With no further discussion and all voting yes, the motion carried.

The report of Veterans Services Officer Archie Hopkins was reviewed. Hagman expressed disappointment that Hopkins didn't attend the Pine Ridge meeting concerning the proposal to close the VA facility in Hot Springs. Discussion was held on the proposed change in services. Motion by Kehn, seconded by White Hawk, to accept Hopkins monthly report and place it on file. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman, to approve certification of small project completion for Disaster-1886-SD, the December '09 Winter Storm, and authorize the Chairman to sign the completion certificate for the South Dakota Office of Emergency Management. With no further discussion and all voting yes, the motion carried.

Notice was given that the Homeland Security office has approved funding for two portable radios for the Sheriff's Office and five for the Batesland Fire Department.

Motion by Hagman, seconded by Hutchison, to suspend the monthly salaries and meeting payments for the commissioners, but not mileage reimbursements. Yellow Bull asked that meetings be held in Pine Ridge to further save costs. The contract with Fall River County specifies the meetings are to be held in Hot Springs as all needed financial documents are on site. Commissioners voiced their opinion that foregoing Board compensation would show county residents they are willing to volunteer their time in light of current funding issues. With no further discussion, Yellow Bull voting no and all others voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, to table approval of bills until reviewed. With no further discussion and all voting yes, the motion carried.

The designation of the legal newspaper was discussed. Information for the Native Sun News was presented by Jackie Giago and Kirk Dickerson while information for the Lakota Country Times was presented by Connie Smith and staff. Motion by Hutchison, seconded by Hagman, to set the Lakota Country Times as the official newspaper for the county for 2012. With Yellow Bull and White Hawk voting no, all others voting yes, the motion carried.

Highway Superintendent Lynx Bettelyoun informed the Board that they had been purchasing gravel at \$1.00 per ton and hauling it to Gordon Road, and that the belly dump truck has broken down. Roads were discussed, including the road to the cemetery on Wakpamni Loop and the possibility of blading the road as a community service. Bettelyoun will check into contracting with the land owner and report at the next meeting.

Purchase approval of a mower and a lowboy trailer was requested by Bettelyoun; the state website was suggested as a source to watch for equipment.

Motion by Hutchison, seconded by Kehn, to enter into Executive Session for personnel matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:52 p.m.

The Board came out of Executive Session at 2:01 p.m.

Motion by White Hawk, seconded by Hutchison, to set February 3, 2012 at 12:30 p.m. as the date and time of the hearing on private road work. With no further discussion and all voting yes, the motion carried.

A break was taken at 2:08 p.m.

The meeting reconvened at 2:28 p.m. with review of a letter to Attorney General Marty Jackley. Motion by Hutchison, seconded by Hagman, to sign and send a letter to Attorney General Jackley regarding the funding situation in Shannon County and any possible assistance available. With no further discussion and all voting yes, the motion carried.

Sheriff Jim Daggett met with the board to provide his monthly report.

Director of Equalization Terri Halls and Deputy Susie Hayes met with the Board to present abatements. Motion by Hutchison, seconded by Kehn, to approve \$7,935.58 in abatements for delinquent mobile home taxes as presented. A listing is on file with the Auditor's office. With no further discussion and all voting yes, the motion carried.

Fall River County Commission Chairman Mike Ortner met with the Board to discuss the VA's proposal for the Hot Springs site and asked the Shannon Commission for their support of retention efforts.

Stacey Martin, GIS, met with the Board to present proposals for redistricting Commissioner Districts. Discussion was held with Deputy State's Attorney Pat Ginsbach on the need for redistricting to comply with the latest census figures and the impact that changing precinct boundaries would have on voters, along with pre-clearance requirements with the U.S. Department of Justice and Memorandum of Understanding with the Justice Department. Motion by Hutchison, seconded by Hagman, to authorize published notice in the paper that the Commission will consider redistricting at their meeting on February 3, 2012 and encourage the public to attend and express their opinions. With no further discussion and all voting yes, the motion carried.

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

**GENERAL FUND**

DAGGETT, JIM	BLUE CROSS PREMIUM	\$400.00
FARRELL, FARRELL	DEC/DEP ST ATY CONTR	\$1,666.67
KLUENDER, LINDA	DOM ABUSE GRANT	\$141.25
SOUTH DAKOTA RETIREMENT	DEC RETIREMENT	\$1,853.76
US POSTAL SERVICE	POSTAGE	\$408.43
WELLS FARGO BANK	DEC/W/H/SS/MDCR TAX	\$2,539.41
WINSLOW, SHARI	DEC/PYMNT ABUSE GRAN	\$141.25
HAGMAN, DELORIS	TRAVEL	\$35.52
KEHN, BRYAN	TRAVEL	\$66.60
LAKOTA COUNTRY TIMES	PUBLISHING	\$509.76
PENNINGTON COUNTY AUDITOR	MI	\$42.00
SD ASSN OF WEED & PEST	DUES	\$50.00
SDAAO	TRAVEL	\$55.00
SDPAA	INS	\$10,387.98
VERIZON WIRELESS	CELL PHONE	\$31.96
WHITE HAWK, EUGENIO	TRAVEL	\$69.56
YELLOW BULL, WENDELL	TRAVEL	\$47.36
HUTCHISON, LYLA	TRAVEL	\$59.20
WITNESS	FEE	\$96.96
	<b>GENERAL FUND TOTAL</b>	<b>\$18,602.67</b>

**ROAD & BRIDGE**

BLUE CROSS/BLUE SHIELD	JAN BLUE CROSS PREM.	\$1,204.41
NEBRASKA CHILD SUPPORT	CHILD SUPPORT	\$245.00
SOUTH DAKOTA RETIREMENT	DEC RETIREMENT	\$1,011.34
WELLS FARGO BANK	DEC/W/H/SS/MDCR TAX	\$1,928.89
A & B WELDING	REPAIR	\$37.20
BUTLER MACHINERY CO.	REPAIR	\$1,385.74
DIVISION OF MOTOR VEHICLE	LIC; REG	\$14.00
GENERAL STORE	REPAIR	\$43.99
HUSKER AUTO PARTS	REPAIR	\$34.34
MARTIN AUTO PARTS	REPAIR	\$39.76
SDPAA	INS	\$9,698.14
	<b>ROAD &amp; BRIDGE TOTAL</b>	<b>\$15,642.81</b>

**EMERGENCY MGT**

SDPAA	INS	\$6.59
	<b>EMERGENCY MGT TOTAL</b>	<b>\$6.59</b>

**GRAND TOTAL** **\$34,252.07**

Motion by Kehn, seconded by White Hawk to approve the Auditor's Account with the Treasurer. 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 30<sup>th</sup> day of December, 2010.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST -	\$ <u>          0</u>
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK -	\$ <u>1,392.22</u>
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANK, HS -	\$ <u>8,419.41</u>
TOTAL AMOUNT OF ACTUAL CASH -	\$ <u>1,309.48</u>
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS -	\$ <u>94.30</u>
MONEY MARKET SAVINGS:     BANK OF THE WEST -	\$ <u>          0</u>
WELLS FARGO BANK -	\$ <u>1,140.92</u>
FIRST INTERSTATE BANK, Hot Springs -	\$ <u>188,681.17</u>
CERTIFICATES OF DEPOSIT-FIRST INTERSTATE BANK, Hot Springs -	\$ <u>250,000.00</u>

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	MESTETH, PERRY -	\$63.00, LIC
BLETHEN, RENE -	\$48.25, LIC	MORRISON, NADINE -	\$15.00, LIC
BURGESS, JEANNE -	\$45.00	NELSON, JOHN -	\$90.83, LIC
GARNETT, AQUALYNE -	\$64.00, LIC	OLD HORSE, JOHN -	\$15.00, LIC
GOINGS, TANYA L. -	\$71.00, LIC	ONE FEATHER, DELMAR -	\$40.00, LIC
JANIS, JENNIFER -	\$90.50, LIC	PARTON, JOY -	\$32.00, LIC

LITTLE, RAINE - LIC	\$99.50, LIC	POURIER, JOEL -	\$349.00,
LITTLE HAWK, JOLENE -	\$32.40, LIC	RED CLOUD, JOHN -	\$45.90, LIC
LONE HILL, TRINA -	\$20.70, LIC	ROSS, WILLIAM -	\$53.00, LIC

**TOTAL - \$452,502.58**

DATED THIS 30<sup>TH</sup> DAY OF DECEMBER, 2011

/S/Sue Ganje, Auditor

SUE GANJE, COUNTY AUDITOR OF SHANNON COUNTY.

Motion by Hutchison, seconded by White Hawk to approve the following wages for 2012, listed in alphabetical order, which includes an increase to \$12.50 per hour for Highway Department employees David White Face and Leon Zimbleman. With no further discussion and all voting yes, the motion carried.

Lori Bachand:	Yearly wage	\$14,200.00
Lynx Bettelyoun:	Yearly wage	\$30,000.00
Jim Daggett:	Yearly wage	\$37,131.50
Melody Engebretson:	Yearly wage	\$14,200.00
Susan Ganje:	Yearly wage	\$14,200.00
Terri Halls:	Yearly wage	\$13,500.00
Archie Hopkins:	Yearly wage	\$11,838.70
Michele Jensen:	Yearly wage	\$10,000.00
Linda Kluender	Yearly wage	\$2,000.00
Kimberly Kotti:	Yearly wage	\$6,666.66
Lora Michael:	Yearly wage	\$5,400.00
Coreen McWhorter:	Yearly wage	\$6,666.66
Patricia Seegrist:	Yearly wage	\$10,000.00
Roberta Strehlow:	Yearly wage	\$6,666.66
Jim Sword:	Yearly wage	\$14,200.00
Susan Hayes:	Yearly wage	\$5,400.00
David White Face:	Hourly wage	\$12.50 per hour
Shari Winslow	Yearly wage	\$2,000.00
Leon Zimbleman:	Hourly wage	\$12.50 per hour

Motion by Kehn, seconded by Hutchison, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 3:48 p.m.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Shannon County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor