

SHANNON COUNTY MINUTES OF NOVEMBER 1, 2013

The Shannon Board of County Commissioners met in regular session on November 1, 2013. Present: Lyla Hutchison, Bryan Kehn, Wendell Yellow Bull and Sue Ganje, Auditor. Absent: Anna Diaz and Eugenio White Hawk.

The Pledge of Allegiance was given and the meeting called to order at 12:50 PM. The agenda was reviewed for conflicts; none were indicated. Motion by Kehn, seconded by Hutchison, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to approve the minutes of the October 11, 2013 meeting with an amendment to remove two travel checks in the amounts of \$39.96 and \$39.68 from the approved bills. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to table approval of the Auditor's Account with the Treasurer until the next meeting. With no further discussion and all voting yes, the motion carried.

The monthly report of VSO Archie Hopkins was reviewed. Motion by Hutchison, seconded by Kehn, to accept and place on file the report of VSO Hopkins. With no further discussion and all voting yes, the motion carried.

Highway Superintendent Lynx Bettelyoun presented fuel quotes as follows:

	Unleaded	#1 & 2 Diesel	Propane
Westco	\$3.096	\$3.597	\$1.538

PR Oil – No response

Lakota Plains – No response

Nelson's Oil – No response

Motion by Hutchison, seconded by Kehn, to approve bids from Westco for \$3.096 for unleaded, \$3.597 for diesel and \$1.538 for propane as the only bids. With no further discussion and all voting yes, the motion carried.

Bettelyoun provided department updates, including information that he toured roads damaged by Winter Storm Atlas, a blizzard that occurred on October 4, 2013, with representatives from the Office of Emergency Management and FEMA.

Diaz joined the meeting at 12:57 PM.

Susie Hayes, Director of Equalization, presented an abatement for consideration. Motion by Hutchison, seconded by Diaz, to approve an abatement of 2012 taxes for Mary Wilson-Kuhl in the amount of \$209.70 for NW ¼, Sec. 12-41-48 and \$218.80 for SE ¼, Sec. 36-42-48, as both parcels are Tribal trust lands and therefore exempt. With no further discussion

and all voting yes, the motion carried.

Wounded Knee Community Development's request for exemption from property taxes was discussed. A Tribal resolution supporting the organization is still being researched and will be brought to the Board when received.

Deputy State's Attorney Pat Ginsbach joined the meeting to discuss the authority of the Board to issue liquor licenses in the county. The Board asked Ginsbach to bring a moratorium resolution to the next meeting that would address approval of liquor licenses and restaurant liquor licenses.

Ginsbach provided a report on his examination of whether the Wounded Knee Development Corporation should be exempt from property taxes, recommending the Board exempt the buildings and eighty acres as an agriculture exemption due to their status as a 501C, a benevolent, religious or charitable organization. Discussion was held on the number of acres that would qualify as exempt per SDCL; the State's Attorney office will continue to research the matter. Motion by Hutchison, seconded by Diaz, to table the application for exempt status for the WKCD until more information is available. With no further discussion and all voting yes, the motion carried.

A resolution establishing a discretionary value was reviewed. Motion by Hutchison, seconded by Kehn, to approve the resolution as follows. With no further discussion and all voting yes, the motion carried.

SHANNON COUNTY RESOLUTION # 2013-06
TAX INCENTIVE FORMULA FOR NEW CONSTRUCTION

WHEREAS, Shannon County is desirous of availing citizens of the benefit of a formula for assessed valuation for new construction tax incentive.

NOW THEREFORE, BE IT RESOLVED that pursuant to SDCL 10-6-35.1 and 10-6-35.2 the following formula for assessed valuation of all new industrial and commercial structures, or new additions to existing structures, which new structures or additions to existing structures are located within Shannon County, and which new structure or addition to existing property increases the true and full value of the real property by Thirty Thousand Dollars (\$30,000.00) or more, then such new structures or new additions to existing property are specifically classified as set forth in this Resolution for the purpose of taxation; and

BE IT FURTHER RESOLVED that such new structures or new additions to existing structures as hereinbefore defined shall, following new construction or new addition to existing property, be valued for taxation purposes in the usual manner; and

BE IT FURTHER RESOLVED that following such valuation the following formula for assessed value of the new structure or new addition to existing property shall, pursuant to SDCL 10-6-35.2, be used for tax purposes:

(1) For the first year following construction, 0% of the assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

(2) For the second tax year following construction, 20% of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

(3) For the third tax year following construction, 40% of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

(4) For the fourth tax year following construction, 60% of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property;

(5) For the fifth tax year following construction, 80% of the usual assessed value of the new structure or new addition to existing property shall be used for tax purposes on such property; in each year after the fifth year, the usual assessed value shall be used for tax purposes on such property.

BE IT FURTHER RESOLVED that pursuant to SDCL 10-6-35.3 no real property shall qualify for this new construction or new addition to existing property tax incentive if the structure fails to comply with all air and water pollution laws and standards which are enacted and may be enacted from time to time by the State of South Dakota and as are set forth in Chapters 34A-1 and 34A-2 of the South Dakota Code.

Dated at Hot Springs, Fall River County, South Dakota, this 1st day of November, 2013.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman
Board of County Commissioners
Shannon County

ATTEST:

/s/ Sue Ganje

Sue Ganje, County Auditor
Shannon County

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

General Fund

Commissioners	October Salaries	\$438.65
Auditor's Office	October Salaries	\$2,241.06
Treasurer's Office	October Salaries	\$2,531.67
State's Attorney Office	October Salaries	\$1,136.94
Director Of Equalization	October Salaries	\$1,064.12
Register Of Deeds	October Salaries	\$1,559.71
Veterans Services	October Salaries	\$798.82
Sheriff's Office	October Salaries	\$2,348.97
Coroner	October Salaries	\$229.95
AT&T Mobility	Telephone	\$147.96
Audra Malcomb Consulting	MI	\$316.74
Birmingham & Cwach	MI	\$148.64

Blackburn & Stevens	MI	\$205.73
Cody, Denise	MI	\$15.00
Diaz, Anna	Travel	\$39.96
Fall River Hospital	Inmate	\$1,035.17
Cardmember Service	Misc	\$1,782.31
Hopkins, Archie	Travel	\$105.08
Hosmer Law Office	MI	\$114.95
Kehn, Bryan	Travel	\$66.60
Lakota Country Times	Publishing	\$102.68
Lewis & Clark Bhs	MI	\$149.00
Lewno, Lucy	MI	\$148.71
Martinez, Audrey L	Travel	\$89.91
Nettinga, Joan	Supply	\$32.99
Oglala Sioux Tribe	Rent	\$200.00
Pennington Co States Atty	MI	\$430.00
SD Assn Of County Comm.	Dues	\$2,402.04
SD Assn Of Co Officials	Dues	\$1,213.52
SDPAA	Work Comp	\$1,553.02
Swanda, Karen	MI	\$15.00
Top Quality Gloves	Supply	\$42.60
US Postal Service	Postage	\$200.22
Verizon Wireless	Vic Adv	\$30.79
Western Communications	Car Maint	\$988.00
Yellow Bull, Wendell	Travel	\$47.36
Hutchison, Lyla	Travel	\$59.20
	General Fund Total	\$24,033.07

Road & Bridge

Road & Bridge	October Salaries	\$7,708.99
and additional overtime of		\$158.22
A & B Welding	Repair	\$40.20
AT&T Mobility	Telephone	\$86.58
Butler Machinery Co.	Repair	\$1,272.31
CNH Capital	Repair	\$485.09
Ferguson, Buzzy	Gravel	\$416.58
Godfrey Brake Service	Repair	\$582.55
Great Plains Communication	Telephone	\$178.89
Great Western Tire Inc.	Supply	\$955.80
Pine Valley Eco Products	Supply	\$1,856.15
Husker Auto Parts	Repair	\$176.09
Martin Auto Parts	Repair	\$192.87
MCI Comm Service	Telephone	\$46.96
SDPAA	Work Comp	\$4,094.17

True North Steel Inc	Repair	\$10,734.00
Westco	Fuel	\$8,371.76
	Road & Bridge Total	\$37,357.21
Emergency Mgt		
SDPAA	Work Comp	\$22.81
	Emergency Mgt Total	\$22.81
	Grand Total	\$61,413.09

Motion by Hutchison, seconded by Kehn, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:07 PM.

ATTEST:
/s/ Sue Ganje
Sue Ganje, Shannon County Auditor

/s/ Wendell Yellow Bull
Wendell Yellow Bull, Chairman
Board of Shannon County Commissioners