

**SHANNON COUNTY MINUTES OF MAY 2, 2014**

The Shannon Board of County Commissioners met in regular session on May 2, 2014. Present: Lyla Hutchison, Bryan Kehn, Eugenio White Hawk, Wendell Yellow Bull, and Sue Ganje, Auditor. Absent: Anna Diaz Takes The Shield.

The Pledge of Allegiance was given and the meeting called to order at 12:11 PM. The agenda was reviewed for conflicts; none were noted. 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 Hutchison, seconded by White Hawk, to approve and place on file the March 31, 2014 General Fund Surplus Analysis as follows. With no further discussion and all voting yes, the motion carried.

**SHANNON COUNTY GENERAL FUND SURPLUS ANALYSIS**

**DATE: MARCH 31, 2014**

The amount of General Fund dollars that counties can retain as surplus is restricted by SDCL 7-21-18.1, which states: "The total unreserved, undesignated fund balance of the general fund may not exceed forty percent of the total amount of all general fund appropriations contained in the budget for the next fiscal year. The total unreserved, undesignated fund balance of the general fund of the county as of March thirty-first and September thirtieth shall be published in the minutes of the proceedings of the board of county commissioners and reported to the Department of Legislative Audit. The report shall be on forms prescribed by the Department of Legislative Audit."

The following analysis should be completed as of March thirty-first and September thirtieth of each year. Thereafter, the unreserved, undesignated fund balance amount should be published in the minutes of the governing board. This analysis should also be filed with the Department of Legislative Audit.

**ASSETS:**

|       |                              |                      |
|-------|------------------------------|----------------------|
| 10100 | Cash                         | <u>\$ 30,108.83</u>  |
| 10800 | Taxes Receivable--Current    | <u>\$ 415,318.92</u> |
| 11000 | Taxes Receivable--Delinquent | <u>\$ 13,923.35</u>  |

**TOTAL ASSETS** \$ 459,351.10

**LIABILITIES AND EQUITY:**

|       |                  |                      |
|-------|------------------|----------------------|
| 22400 | Deferred Revenue | <u>\$ 429,242.27</u> |
|-------|------------------|----------------------|

**FUND BALANCES:**

|       |                                 |                     |
|-------|---------------------------------|---------------------|
| 27600 | Assigned (one of the following) |                     |
|       | March - 3/4 of the current year | <u>\$ 50,201.25</u> |

|  |                             |
|--|-----------------------------|
| September - 1/4 of current year + subsequent year  |                             |
| 27700 Unassigned   | <u>\$ (20,092.42)</u>       |
| <b>TOTAL LIABILITIES AND EQUITY</b>  | <u><u>\$ 459,351.10</u></u> |
| Following Year's General Fund Budget<br>(use current year for March analysis)  | <u>\$ 440,029.00</u>        |
| The unassigned fund balance, account 27700,<br>divided by the following year's General Fund budget<br>resulting in the fund balance percentage | <u>-4.57%</u>               |

Motion by Hutchison, seconded by Kehn, to accept and place on file the report of VSO Lynette Quinsaas and approve her travel expenses, in advance, to attend the Spring Mini-Conference in Sturgis May 6, 2014. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to approve hiring Agnes Westover and Faith Yellow Boy as Assistant Lakota Election Coordinators at \$12.00 per hour. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by White Hawk, to approve changing the Batesland Precinct polling location from the Batesland Fire Hall to the Shannon County School. With no further discussion and all voting yes, the motion carried.

White Hawk reported that the Oglala Sioux Tribe Chief of Police has requested a meeting regarding a possible Joint Powers Agreement for law enforcement. A meeting and tour of their facility will be set for the Board.

Motion by Kehn, seconded by White Hawk, to remove Ken Orrock as a Deputy Sheriff as the Sheriff no longer utilizes him. With no further discussion and all voting yes, the motion carried.

Lynx Bettelyoun, Highway Superintendent, presented fuel quotes:

|                | <u>450 gal. Unleaded</u> | <u>1,660 gal. Red Diesel</u> |
|----------------|--------------------------|------------------------------|
| Westco         | \$3.259                  | \$3.419                      |
| Nelson's Oil   | no response              |                              |
| Pine Ridge Oil | no response              |                              |

Motion by Hutchison, seconded by Kehn, to approve quotes from Westco of \$3.259 for 450 gallons of unleaded and \$3.419 for 1,660 gallons of Red Diesel as the only bids. With no further discussion and all voting yes, the motion carried.

Bettelyoun updated the Board on three miles of reconstruction of a connector road and other department activity.

Motion by Hutchison, seconded by Kehn, to approve hiring three people to assist with picking up ballot boxes on the Primary and General Election days at a rate of \$12.00 per hour, plus mileage. With no further discussion and all voting yes, the motion carried.

Frances Denison, Appraiser in the Dept. of Equalization, presented abatements. Motion by Hutchison, seconded by White Hawk, to approve an abatement for Cankatola Ti Ospaye of \$4,039.36 in 2010-13 property taxes on a mobile home as it is owned by a tax exempt entity; and an abatement for Wounded Knee Community Development Corporation of \$161.24 in 2012-13 property taxes on parcel 28000-03844-364-00 as it is a tax exempt entity. With no further discussion and all voting yes, the motion carried.

Kelli Rhoe, Acting Treasurer, informed the Board she expects it will be fall before tax deeds can be taken and a county tax deed sale be scheduled. Rhoe also sought approval of delinquent tax agreement letters. Motion by Kehn, seconded by White Hawk, to approve Rhoe sending letters to taxpayers with delinquent tax agreements as warranted after research by the Treasurer's Office and the Deputy State's Attorney. With no further discussion and all voting yes, the motion carried.

Pat Ginsbach, Deputy State's Attorney, joined the meeting to discuss a potential tax deed sale for a property already in the county's name. Motion by Kehn, seconded by White Hawk, to approve a tax deed sale for Lot 18, Block 4, Village of Batesland, on June 6, 2014 at 1:00 PM, setting a minimum bid of \$100.00. With no further discussion and all voting yes, the motion carried.

Bud May met with the Board to discuss the proposed National Park on the South Unit of the Badlands National Park. The plan includes introduction of 1,000 buffalo and May said the land needed to sustain them will be taken for the park by eminent domain and condemnation. Numerous questions are unanswered at this point and a meeting with all involved parties, including the Oglala Sioux Tribe, the National Park Service, congressional representatives and the public is needed. Motion by Hutchison, seconded by Kehn, to schedule a hearing at Prairie Winds Casino to consider a resolution opposing the establishment of a National Park on the South Unit of the Badlands National Park and the proposed reintroduction of buffalo on the land. With no further discussion and all voting yes, the motion carried.

Ginsbach presented names of individuals he is recommending for the Shannon County Mental Health Board, which is chaired by Jim Bingham, who was also present. Motion by Kehn, seconded by White Hawk to approve appointing Ken Ross and Tekewitha Elliott to the Mental Health Board, as recommended. With no further discussion and all voting yes, the motion carried.

Discussion was held on bills; a teleconference meeting will be held on May 9, 2014 at 1:00 PM to approve bills and provide an update on any scheduled meetings with OST law enforcement or for discussion of the proposed National Park.

Frank Maynard, Emergency Management, reported that the Pre-Disaster Mitigation Plan is nearly complete, adding that a meeting is scheduled for May 20, 2014 at the Prairie Winds Casino.

Motion by Hutchison, seconded by Kehn, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:42 PM.

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Shannon County Commissioners