

SHANNON COUNTY MINUTES OF MAY 4, 2012

The Shannon Board of County Commissioners met in regular session on May 4, 2012. Present: Wendell Yellow Bull, Lyla Hutchison, Bryan Kehn and Auditor Sue Ganje. Absent: Deloris Hagman and Eugenio White Hawk.

The Pledge of Allegiance was given and the meeting called to order at 12:04 p.m. 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 Hutchison, seconded by Kehn, to approve the minutes of the April 5, 2012 and April 19, 2012 meetings. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, 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 30th day of April, 2012.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST -	\$ <u> 0</u>
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK -	\$ <u> 1,392.26</u>
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANK, HS -	\$ <u> 7,860.26</u>
TOTAL AMOUNT OF ACTUAL CASH -	\$ <u> 308.55</u>
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS -	\$ <u> 6,473.33</u>
MONEY MARKET SAVINGS: BANK OF THE WEST -	\$ <u> 0</u>
WELLS FARGO BANK -	\$ <u> 1,141.11</u>
FIRST INTERSTATE BANK, Hot Springs -	\$ <u>231,425.64</u>
CERTIFICATES OF DEPOSIT-FIRST INTERSTATE BANK, Hot Springs -	\$ <u>250,000.00</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		
RETURNED CHECKS:			
BLACK FEATHER, DAVID -	\$75.00, LIC	LONE HILL, TRINA -	\$20.70, LIC
BLETHEN, RENE -	\$48.25, LIC	MESTETH, PERRY -	\$63.00, LIC
BURGESS, DAVID -	\$335.00, LIC	MORRISON, NADINE -	\$15.00, LIC
BURGESS, JEANNE -	\$45.00, LIC	OLD HORSE, JOHN -	\$15.00, LIC
PARTON, JOY -	\$32.00, LIC	ONE FEATHER, DELMAR -	\$40.00, LIC
GARNETT, AQUALYNE -	\$64.00, LIC	POURIER, JOEL -	\$349.00,
GOINGS, TANYA L. -	\$71.00, LIC	LIC	
HUSSMAN, NANCY -	\$746.38, TAX	RED CLOUD, JOHN -	\$45.90, LIC
JANIS, JENNIFER -	\$90.50, LIC	ROSS, WILLIAM -	\$53.00, LIC
LITTLE HAWK, JOLENE -	\$32.40, LIC		

TOTAL - \$500,957.30

DATED THIS 30TH DAY OF APRIL, 2012

/S/Sue Ganje, Auditor
SUE GANJE, COUNTY AUDITOR OF SHANNON COUNTY

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

Motion by Kehn, seconded by Hutchison, to approve and place on file the March 2012 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, 2012

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	\$ 98,945.08
10800	Taxes Receivable--Current	\$ 189,351.93
11000	Taxes Receivable--Delinquent	\$ 19,977.61
TOTAL ASSETS		<u>\$ 308,274.62</u>

LIABILITIES AND EQUITY:

22400	Deferred Revenue	\$ 209,329.54
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FUND BALANCES:

27500	Committed (list)	
	Reserved for Hospital Claims	\$
27600	Assigned (one of the following)	
	March - 3/4 of the current year	\$ 22,227.75
	September - 1/4 of current year + subsequent year	
27700	Unassigned	\$ 76,717.33
TOTAL LIABILITIES AND EQUITY		<u>\$ 308,274.62</u>

Following Year's General Fund Budget
(use current year for March analysis)

\$ 389,935.00

The unassigned fund balance, account 27700,
divided by the following year's General Fund budget
resulting in the fund balance percentage

19.67%

Highway Superintendent Lynx Bettleyoun met with the Board to provide updates and request approval to hire seasonal help. Motion by Kehn, seconded by Hutchison, to approve hiring Brandon Sheets for temporary part-time help in the highway department at \$10.00 per hour, effective May 7, 2012. With no further discussion and all voting yes, the motion carried.

Auditor Ganje explained the need to re-advertise a hearing on the deletion of Steele Road from the county road system and informed the Board that Curtis Temple has verbally agreed to have the road removed. Adding Winter Road, which services a cemetery, to the county road system was also discussed. Motion by Hutchison, seconded by Kehn, to approve adding Winter Road to the county road system. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by Hutchison, to re-set the hearing for the deletion of Steele Road, and additionally Temple Road, from the county road system for June 8, 2012 at 12:30 p.m. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Kehn, to authorize Bettleyoun to look for highway equipment, including a trailer and mower. With no further discussion and all voting yes, the motion carried.

Fuel quotes were presented as follows:

	<u>360 gal Unleaded</u>	<u>1600 gal Diesel</u>
Westco	\$3.516 per gal	\$3.490 per gal
Pine Ridge Oil	\$3.769 per gal	\$3.629 per gal
Nelson's Oil	no bid	

Motion by Hutchison, seconded by Kehn, to approve Westco's bid for 360 gal. of Unleaded at \$3.516 per gal and 1,600 gal. of Diesel at \$3.49 per gal. as the low bids. With no further discussion and all voting yes, the motion carried.

Jean Belt, Lakota Election Coordinator, updated the Board on activity at the Early Voting Office and sought approval to replace assistant Merton Belt with Jane Little Hawk. Eugenio White Hawk entered the meeting at 12:25 p.m.

Motion by Hutchison, seconded by Kehn, to set the date for the June Board meeting for June 8, rather than June 1, to allow for the Primary Election Official Canvass. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by White Hawk, to accept the report of Lakota Election Coordinator Jean Belt. With no further discussion and all voting yes, the motion carried.

Motion by Kehn, seconded by White Hawk, to approve replacing Merton Belt, part-time Assistant to the Lakota Coordinator, with Jane Little Hawk at \$8.00 per hour, effective May 3, 2012. With no further discussion and all voting yes, the motion carried.

A break was taken at 12:40 p.m.

The meeting resumed at 1:00 p.m. with Director of Equalization Terri Halls present for discussion on a request from Mark St. Pierre of the Wounded Knee Community Development Corporation for exempt tax status. Yellow Bull explained that the county policy on exempt status allows for exempting buildings and five acres of land. The date of transfer to the non-profit organization and the need for the fulfillment of two criteria to qualify for exempt status were discussed. Motion by Hutchison, seconded by White Hawk, to approve the tax-exempt status for five acres of land and buildings held by the Wounded Knee Community Development Corporation. With no further discussion and all voting yes, the motion carried.

Halls reported receiving an exempt application from Makasan Presbyterian Church but not Wakanyeja Pawicayapi, Inc., both of which asked for exempt status but were denied at the April 17, 2012 meeting as the applications had not been submitted. White Hawk will contact Wakanyeja Pawicayapi, Inc. and report back at the next meeting.

Sheriff Jim Daggett met with the Board to report on activities, much of which have concerned investigation of livestock thefts and trespassing. Daggett suggested a meeting with BIA and tribal officials, along with a commissioner, may be useful. Motion by Yellow Bull, seconded by Kehn, to appoint Eugenio White Hawk as the representative of the Commission to meet with the Sheriff, BIA and tribal officials to address the matter, which is also a public safety issue. With no further discussion and all voting yes, the motion carried.

Deloris Hagman joined the meeting via speakerphone at 1:17 p.m.

Motion by Kehn, seconded by Hutchison, to approve and place on file the report of Sheriff Daggett. With no further discussion and all voting yes, the motion carried.

OJ Semans, 4 Directions, delivered a request from Oglala Sioux Tribal President John Yellow Bird Steele to extend the Monday through Friday early voting hours for the satellite office in Pine Ridge to include weekend and holiday hours during the six weeks prior to the 2012 General Election. Sara Frankenstein, litigation attorney, questioned the expense, if it would be reimbursed by HAVA funds and what precedence has been set by other counties for weekend or holiday voting. Semans indicated 4 Directions would increase their financial commitment for early voting from \$5,500.00 to \$6,000.00.

Yellow Bull suggested that weekends tend to be used for family, that the law allows one hour off for voting and the OST transport busses only run Monday through Friday; Semans countered that weekend voting would be a convenience for people who work Monday through Friday and are unable to use the satellite office during those times. Yellow Bull asked Belt if she had spoken to President Yellow Bird Steele, which she had not. Yellow Bull asked Belt to follow up with the OST President and report to the Board. Motion by Hutchison, seconded by White Hawk, to table the request to offer weekend and holiday early voting office hours during the six weeks prior to the 2012 General Election until the June 8, 2012 meeting to allow for research into the following: whether other counties provide similar opportunities; whether HAVA funds would reimburse the expense; how the DOJ would respond; and to allow for discussion between the tribal officials and county commissioners. With no further discussion and all voting yes, the motion carried and the matter tabled.

Motion by Hutchison, seconded by Kehn, to enter into Executive Session to discuss litigation with attorney Sara Frankenstein. With no further discussion and all voting yes, the motion carried. Hagman exited the meeting and the Board went into Executive Session at 1:40 p.m.

The Board came out of Executive Session at 2:18 p.m.

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

GENERAL FUND

AUDITOR'S OFFICE	APRIL SALARIES	\$2,513.05
TREASURER'S OFFICE	APRIL SALARIES	\$2,519.61
STATE'S ATTORNEY OFFICE	APRIL SALARIES	\$1,045.47
DIRECTOR OF EQUALIZATION	APRIL SALARIES	\$1,383.56
REGISTER OF DEEDS	APRIL SALARIES	\$1,463.82
VETERANS SERVICES	APRIL SALARIES	\$794.18
SHERIFF'S OFFICE	APRIL SALARIES	\$2,336.74
CORONER	APRIL SALARIES	\$377.40
ELECTIONS	APRIL SALARIES	\$267.95
AT&T MOBILITY	TELEPHONE	\$131.47
CENTURY BUSINESS	COPIER	\$10.74
DAGGETT, JIM	MAY HEALTH INS PREMI	\$400.00
FARRELL, FARRELL	APRIL DEP STATES ATY	\$1,743.16
CARDMEMBER SERVICE	MISC	\$1,029.83
FOX, YOUNGBERG & LEWNO PC	MI	\$146.56
HAGMAN, DELORIS	TRAVEL	\$35.52
INTAB	SUPPLY	\$23.94
KEHN, BRYAN	TRAVEL	\$66.60
KLUENDER, LINDA	APRIL DOM ABUSE GRAN	\$166.66
LAKOTA COUNTRY TIMES	PUBLISHING	\$643.92
LEFTWICH, ALFRED	ELECTION	\$215.00

MCLEOD'S OFFICE SUPPLY	SUPPLY	\$437.29
PENNINGTON COUNTY AUDITOR	MI	\$178.00
PENNINGTON CO STATES ATTY	MI	\$400.00
QUILL CORPORATION	SUPPLY	\$362.61
RAPID LUBE	CAR MAINT	\$42.70
SHANNON COUNTY SHERIFF	PETTY CASH	\$69.43
SHEPHERD REPORTING LLC	MI	\$25.00
SOUTH DAKOTA RETIREMENT	APRIL RETIREMENT	\$1,773.84
US POSTAL SERVICE	POSTAGE	\$279.79
VANWAY TROPHY & AWARD	SUPPLY	\$86.00
VERIZON WIRELESS	TELEPHONE	\$32.18
WELLS FARGO BANK	APRIL W/H/SOC SEC/MD	\$2,201.00
WINSLOW, SHARI	APRIL DOM ABUSE GRAN	\$166.66
WHITE HAWK, EUGENIO	TRAVEL	\$69.56
YELLOW BULL, WENDELL	TRAVEL	\$47.36
BELT,JEAN	ELECTION	\$619.22
HUTCHISON, LYLA	TRAVEL	\$59.20
	GENERAL FUND TOTAL	\$24,165.02

ROAD & BRIDGE

ROAD & BRIDGE	APRIL SALARIES	\$4,915.97
A & B WELDING	REPAIR	\$39.68
ARMSTRONG EXTINGUISHER	SUPPLY	\$316.00
AT&T MOBILITY	TELEPHONE	\$92.20
BLUE CROSS/BLUE SHIELD	MAY HEALTH INSURANCE	\$1,204.41
FERGUSON, BUZZY	GRAVEL	\$367.00
GREAT WESTERN TIRE INC.	REPAIR	\$65.90
PINE VALLEY ECO PRODUCTS	SUPPLY	\$310.87
HUSKER AUTO PARTS	SUPPLY	\$723.05
KRATOVIL'S TRUE VALUE	REPAIR	\$12.49
LACREEK ELECTRIC ASSOC	UTILITY	\$285.55
MARTIN AUTO PARTS	REPAIR	\$35.48
MODERN FARM EQUIPMENT CO.	REPAIR	\$996.86
NEBRASKA CHILD SUPPORT	CHILD SUPPORT	\$245.00
PINE RIDGE AUTO PARTS	REPAIR	\$151.53
R&B SUPPLY CO	SUPPLY	\$354.95
SOUTH DAKOTA RETIREMENT	APRIL RETIREMENT	\$791.24
VALLETTE, DAVID R	SUPPLY	\$26.50
WELLS FARGO BANK	APRIL W/H/SOC SEC/MD	\$1,659.04
WESTCO	FUEL;REPAIR	\$6,951.76
	ROAD & BRIDGE TOTAL	\$19,545.48

GRAND TOTAL **\$43,710.50**

Motion by White Hawk, seconded by Hutchison, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:18 p.m.

/s/ Wendell Yellow Bull

Wendell Yellow Bull, Chairman

Board of Shannon County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Shannon County Auditor