

**SHANNON COUNTY MINUTES OF OCTOBER 1<sup>ST</sup>, 2010.**

The Shannon Board of County Commissioners met in regular session on October 1, 2010. Present Connie Whirlwind Horse, Lyla Hutchison, Deloris Hagman, Wendell Yellow Bull, Patricia Seegrist, Deputy Auditor and Stacy Frymire, Clerk. Absent Francis Pumpkin Seed.

Meeting call to order, time being 11:06 a.m. Pledge of Allegiance was given.

Agenda was reviewed for conflicts, which none were found.

Motion by Hutchison, seconded by Yellow Bull to approve the agenda as written. All voting yes, the motion carried.

Motion by Hagman, seconded by Hutchison to approve the minutes of September 24<sup>th</sup>, 2010. All voting yes, the motion carried.

Motion by Hagman, seconded by Yellow Bull 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 September,2010.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST-----\$ 4,047.12  
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK-----\$ 1,391.46  
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANKHS\$ 5,694.15  
TOTAL AMOUNT OF ACTUAL CASH-----\$ 838.61  
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT  
EXCEEDING THREE DAY-----\$710.42  
MONEY MARKET SAVINGS: BANK OF THE WEST-----\$ 2,267.89  
WELLS FARGO BANK-----\$ 1,140.21  
FIRST INTERSTATE BANK-HS\$235,584.97  
CERTIFICATES OF DEPOSIT-FIRST INTERSTATE BANK-HS\$250,000.00  
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	PARTON, JOY-----\$32.00-LIC
BLETHEN, RENE-----\$48.25-LIC	POURIER, JOEL-----\$349.00
BROKEN NOSE, LEROY----\$44.50-LIC	RED CLOUD, JOHN----\$45.90
BURGESS, JEANNE-----\$45.00	ROSS, WILLIAM-----\$53.00
EAGLE BULL, ANNETTE M--\$43.00-LIC	FINGER,LEONARD----\$376.47LIC
GARNETT, AQUALYNE-----\$64.00	
ONEFEATHER,DELMAR----\$40.00-LIC	
GOINGS, TANYA L-----\$71.00	
JANIS, JENNIFER-----\$90.50	
LITTLE HAWK, JOLENE----\$32.40-LIC	
LONE HILL, TRINA-----\$20.70-LIC	
MESTETH, PERRY-----\$63.00	
MORRISON, NADINE-----\$15.00	
OLD HORSE, JOHN-----\$15.00	

**TOTAL \$503,413.55**

**DATED THIS 30TH DAY OF SEPTEMBER,2010**

**/S/Patricia J. Seegrist, Deputy Auditor**

**SUE GANJE, COUNTY AUDITOR OF SHANNON COUNTY.**

**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.**

Deb Rooks was not present for scheduled meeting. Commissioners said this item would not be addressed anymore.

Deloris Hagman made a motion that the Commissioners suspend their salaries until further notice. She said this would show the taxpayers their intent. Discussion was held and it was asked if travel was also included not to be paid. Commissioners discussed and decided that travel would also be suspended as of October 2<sup>nd</sup>, 2010, until further notice. Wendell Yellow Bull seconded the motion. All voting yes, the motion carried.

**Public Comment:** Jane Colhoff reserved the right to speak later.

Harry Martinez was not at the meeting, but had given Connie Whirlwind Horse a log for his work. Deloris Hagman asked how the Commissioners could pay him when he was never approved by the Board. Vote was called. Jane Colhoff spoke that the agenda was moving too fast and people were not being given enough time to come for their appointment. Subject of Martinez was tabled for the present.

Stanley Star Comes Out was not present as yet so moved on to the next appointment.

Al Schaefer, Department of Legislative Audit met with the Board to advise the Commissioners of the upcoming Audit of 2008 and 2009 on records, which will be starting in a couple of weeks, at a rate of \$55.00 per hour. Schaefer asked the Commissioners if they had any specific areas they wanted checked. Wendell Yellow Bull asked about Federal Grants and why Shannon County did not get more money. Schaefer said Pennington County gets the money and it is distributed out by population. Jane Colhoff asked about fraud and Schaefer told her what fraud was. Colhoff asked about who could be notified with complaints and Schaefer gave her the name of who to contact.

Motion by Hutchison, seconded by Hagman to accept South Dakota Department of Legislative Audit to do audit for 2008 and 2009, at \$55.00 per hour. All voting yes. the motion carried.

Lynn Bettelyoun, Highway Superintendent, met with the Board to present Road Contracts, fuel quotes and other Highway business.

	<u>500 GALLONS UNLEADED GASOLINE</u>	<u>1000 GALLONS #2 RED DIESEL</u>
WESTCO	\$2.599 PER GALLON	\$2.48 PER GALLON
NELSON'S OIL	\$2.62 PER GALLON	\$2.60 PER GALLON

Motion by Yellow Bull, seconded by Hagman to approve Westco Bid on 500 gallons unleaded gas at \$2.599 per gallon and 1000 gallons of #2 red diesel at \$2.48 per gallon as low bids. All voting yes, the motion carried.

Lynn asked about a tractor in Deloris Hagman's area that the highway could use on roads. Hagman said she would check.

Lynn said that Joe American Horse wants his road done but hasn't been able to get in touch with him. Bettelyoun said that there is too much needed on the road and that she has to talk to him. Connie Whirlwind Horse said they had built a road on the other side that American Horse could get in on.

Lyla Hutchison spoke on the Porcupine and Wounded Knee Road and that they are in good shape and thanked Bettelyoun for working on them.

Bettelyoun said that the highway gravel is almost gone and that it would take about \$55,000.00 to replace. Bettelyoun said she had prices and gravel would run from \$3.75 to \$4.00 per ton. Bettelyoun said her uncle at Kyle has really good gravel for a \$1.00 per ton, but it has to be transported. Commissioners said they would have to try to find the money, but not at the present time, that she has \$20,000.00 and to go ahead and get as much as she can.

Road Contracts on Deloris Yellow Bull and Leon Zimbelman were presented.

Motion by Hutchison, seconded by Hagman to approve Road Contract on Leon Zimbelman, for blade and dirt on Red Rock Road #2, Batesland, estimated 1 hour , which is paid; and for Deloris Yellow Bull for blading R45W, T35N, Section 11, for 2 hours, estimated cost of \$177.00 , which is paid. All voting yes, the motion carried.

Bob Palmer was not present for Contract on Vote Early Office and he could not be reached by phone. Commissioners had questions on maintenance of office and thought there was an error on the Contract for amount per month. Discussion was tabled for later in the meeting.

Stanley Star Comes Out now present. Stanley Star Comes Out was questioned about Harry Martinez's pay and what Harry was doing, that he was never approved by the Board and that 2 other people were approved. Stanley said he had called Wendell and Francis and they had said to put him on. Stanley said Sue had showed him the line in the budget for \$2,500.00 for Deputy. Deputy Auditor told Commissioners that amount was for the whole year.

Motion by Yellow Bull to pay Harry Martinez.

Patrick M. Ginsbach, Deputy State's Attorney spoke that he wanted to refer this issues to the State Auditor Al Schaefer about paying someone without authorization of hire approval and exited the meeting to do so.

Stanley was asked about petty cash, which \$150.00 in cash was turned in but questions arose on the receipts. Stanley said no one had explained petty cash to him. He told the Commissioners that he had bought 2 chargers for phone, one was for the car and the other receipts were for gas.

Patrick Ginsbach was back after talking to the State Auditor.

Motion by Hutchison, seconded by Hagman to go into executive session, time being 12:11, for legal matters.

Came out at 12:45.

Break was taken.

Meeting was called back to order, time being 1:00 p.m.

Motion by Hagman, seconded by Yellow Bull to replenish the Sheriff Petty Cash to \$200.00. All voting yes, the motion carried.

Connie Whirlwind Horse spoke about paying Harry Martinez, that Stanley needed to go over the log turned in and let the Auditor's Office know what to pay and if anything was not to be paid.

Stanley brought up his being paid from August 13<sup>th</sup> to September 13<sup>th</sup>, 2010 when the writ from court was cancelled. He said he thought he should be paid until the case was dismissed.

Patrick Ginsbach, Deputy State's Attorney, explained to Stanley that on August 13<sup>th</sup>, 2010, when the Judge's order came in to dismiss him, the Judge said no further payment was to be paid to him. Ginsbach told Stanley that he would need to get an appointment with the Judge to see if the Judge would pay him and get a letter stating this.

Motion by Yellow Bull, seconded by Hutchison to accept letter from Stanley Star Comes Out regarding payment of wage, and to advise Stanley to speak to the Judge who issued the Writ. All voting yes, the motion carried.

Archie Hopkins, Veterans Service Officer was present now to give his monthly report. He gave an oral report of what he is doing, talked about benefits and that he only worked 24 hour per week and was also working with the Tribal Veterans Service Officer, to organize a Vietnam Honor Program together for December. Commissioners asked him if he had rescheduled to take his certification test. Hopkins said he hadn't but would do so. Commissioners told Hopkins he could send in his monthly reports; that he didn't need to come up every month.

Sheriff Daggett met with the Board to give report on activities. Daggett gave Commissioners a letter on activities and then gave oral account of cases he is working on. Daggett asked about camera he was to get which was paid for by a Federal Grant. Commissioners said this had already been approved and the money was in the budget so he could get it.

Daggett asked for travel approval to go to Lower Brule on October 26<sup>th</sup> and 27<sup>th</sup>, 2010, to a South Dakota Tribal Traffic Safety Summit.

Motion by Hagman, seconded by Hutchison to approve travel on October 26<sup>th</sup> and 27<sup>th</sup>, 2010, to attend South Dakota Tribal Safety Summit. All voting yes, the motion carried.

Blue Cross Renewal contract was discussed. Premiums are going up about \$70.00 per employee. Discussion was held.

Motion by Hutchison, seconded by Hagman to renew Welmark Blue Cross, Blue Shield Health Insurance for the year November 1<sup>st</sup>, 2010 to October 31<sup>st</sup>, 2011. All voting yes, the motion carried.

Motion by Hutchison, seconded by Yellow Bull to approve the following bills. All voting yes, the motion carried.

**GENERAL**

COMM. SALARIES (5-COMM)	SEPTEMBER SALARIES	\$ 900.00
AUDITOR'S OFFICE SALARIES	SEPTEMBER SALARIES	\$3,361.03
TREASURER'S OFFICE SALARIES	SEPTEMBER SALARIES	\$2,961.95
STATES ATTORNEY SALARY	SEPTEMBER SALARY	\$ 901.25
DIR. OF EQUAL. OFFICE SALARIES	SEPTEMBER SALARY	\$1,575.68
REG. OF DEEDS OFFICE SALAIRES	SEPTEMBER SALARIES	\$1,738.69
VETS SERVICE OFFICE SALARY	SEPTEMBER SALARY	\$ 986.56
SHERIFF'S OFFICE SALARIES	SEPTEMBER SALARIES	\$3,808.35
AMERICAN FAMILY ASSURANCE	OCTOBER INSURANCE	\$ 24.60
DAGGETT, JIM	OCT/HEALTH INSURANCE	\$ 385.65
FARRELL, FARRELL & GINSBACH	DEP ST ATY INSURANCE	\$ 833.33
HAGMAN, DELORIS	TRAVEL	\$ 35.52
SOUTH DAKOTA RETIREMENT SYSTEM	SEPTEMBER RETIREMENT	\$1,824.44
US POSTAL SERVICE	POSTAGE	\$ 265.78
WELLS FARGO BANK	SEPT W/H/SS/MDCR	\$2,846.01
WHIRLWIND HORSE, CONNIE	TRAVEL	\$ 83.63
YELLOW BULL, WENDELL	TRAVEL	\$ 47.36
WEED SUPERVISOR SALARY	SEPTEMBER SALARY	\$ 697.50

SD STATE TREASURER	SALES TAX	\$ 7.61
ALLTEL	TELEPHONE	\$ 125.26
AT&T	TELEPHONE	\$ 34.83
CAROL BUTZMAN CONSULTING	MENTAL ILLNESS	\$ 546.74
CENTURY BUSINESS	COPIER	\$ 16.27
CROP PRODUCTION SERVICES	SUPPLY	\$4,127.60
CULLIGAN	SUPPLY	\$ 10.00
DAGGETT, JIM	GRANT	\$ 535.40
DAYS INN	TRAVEL	\$ 325.50
DS SOLUTIONS INC	SUPPLY	\$ 50.00
FALL RIVER COUNTY AUDITOR	SUPPLY	\$ 87.19
FAMILY DOLLAR	SUPPLY	\$ 22.50
CARDMEMBER SERVICE	GAS	\$1,100.82
HAGMAN, DELORIS	TRAVEL	\$ 35.52
HAUCK, DAVID K.	TRAVEL;4-WHEELER	\$ 414.71
LAKOTA COUNTRY TIMES	PUBLISHING	\$ 566.12
MARTIN AUTO PARTS	REPAIR	\$ 77.01
MOTIVE MAGIC	CAR MAINTENANCE	\$ 225.00
OGLALA SIOUX TRIBE	RENT	\$ 200.00
OWEN G DUNN CO INC	SUPPLY	\$ 69.30
PECHOTA LAW OFFICE	PRO SERVICES	\$1,350.00
PENNINGTON COUNTY JAIL	INMATE; MILEAGE	\$ 427.00
QUILL CORPORATION	SUPPLY	\$ 66.60
RADIOSHACK	SUPPLY	\$ 24.98
CITY OF RAPID CITY	INMATE	\$ 35.00
SHANNON COUNTY SHERIFF	PETTY CASH	\$ 131.54
SYNERGY GRAPHICS	SUPPLY	\$ 150.00
WHIRLWIND, CONNIE	TRAVEL	\$ 83.63
YELLOW BULL, WENDELL	TRAVEL	\$ 47.36
WITNESS FEES	WITNESS FEES	\$ 722.70
HUTCHISON, LYLA	TRAVEL	\$ 59.20

COUNTY ROAD AND BRIDGE

CRBR CONSTRUCTION	SEPTEMBER SALARIES	\$11,489.89
BLUE CROSS/BLUE SHIELD INS.	OCTOBER HEALTH INS.	\$ 1,278.84
ALLTELL	PHONE	\$ 81.08
BUTLER MACHINERY CO.	REPAIR	\$ 460.88
CULLIGAN	SUPPLY	\$ 20.50
FALL RIVER COUNTY AUDITOR	SUPPLY	\$ 400.00
FARM PLAN	REPAIR	\$ 1,103.05
GENERAL STORE	SUPPLY;REPAIR	\$ 294.47
GREAT PLAINS COMMUNICATION	PHONE	\$ 159.23
GREAT WESTERN TIRE INC.	REPAIR	\$ 279.80
HUSKER AUTO PARTS	REPAIR	\$ 650.41
JIM'S BODY SHOP	REPAIR	\$ 542.30
LACREEK ELECTRIC ASSOCIATION	UTILITY	\$ 296.76
MARTIN AUTO PARTS	REPAIR	\$ 159.47
MCI COMM SERVICE	PHONE	\$ 45.26
MENARDS	SUPPLY	\$ 64.92
QUILL CORPORATION	SUPPLY	\$ 83.67
TRUE VALUE	REPAIR	\$ 100.87
WESTCO	FUEL;GAS	\$ 3,451.70

Discussion was held on Contract for room for Early Voting Office in the old hospital.

Motion by Yellow Bull, seconded by Hagman to pay the \$500.00 rent for the Early Voting Office in the old hospital in Pine Ridge. All voting yes, the motion carried.

**Motion by Hutchison, seconded by Hagman to adjourn meeting, time being 1:45 p.m.  
All voting yes, the motion carried.**

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**Connie Whirlwind, Chairwoman  
Board of County Commissioners  
Shannon County**

**ATTEST:**

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**Patricia J. Seegrist  
Deputy County Auditor**

**A phone call was received from Bob Palmer after adjournment on the Contract for the old hospital room for early voting. Palmer said they wanted more money for the room and the Commissioners told him they had authorized the \$500.00. If more was to be negotiated, he would have to come to the November 5<sup>th</sup>, 2010 meeting.**