

SHANNON COUNTY MINUTES OF DECEMBER 3, 2010.

The Shannon Board of County Commissioners met in regular session on December 3, 2010 at the Courthouse in Hot Springs. Present Connie Whirlwind Horse, Lyla Hutchison, Deloris Hagman, Wendell Yellow Bull, Sue Ganje, County Auditor and Julie Graham, Elections Clerk. Absent: Francis Pumpkin Seed.

Meeting called to order by Chairwoman Connie Whirlwind Horse and the Pledge of Allegiance was given at 11:29 a.m.

The agenda was reviewed for conflicts, which none were found.

Motion by Hutchison, seconded by Hagman to approve the agenda as written. With all voting yes, the motion carried.

Motion by Yellow Bull, seconded by Hagman to approve the minutes of November 5, 2010. With all voting yes, the motion carried.

Motion by Yellow Bull, seconded by Hutchison 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 November, 2010.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST -	\$
<u>4,047.29</u>	
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK -	\$ <u>1,391.51</u>
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANKHS -	\$ <u>10,754.78</u>
TOTAL AMOUNT OF ACTUAL CASH -	\$ <u>2,827.35</u>
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS -	\$ <u>16,906.49</u>
MONEY MARKET SAVINGS: BANK OF THE WEST -	\$ <u>2,268.27</u>
WELLS FARGO BANK -	\$ <u>1,140.30</u>
FIRST INTERSTATE BANK, Hot Springs -	\$ <u>255,361.26</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	LONE HILL, TRINA - \$20.70, LIC
BLETHEN, RENE - \$48.25, LIC	MESTETH, PERRY - \$63.00
BROKEN NOSE, LEROY - \$44.50, LIC	MORRISON, NADINE - \$15.00
BURGESS, JEANNE - \$45.00	OLD HORSE, JOHN - \$15.00
EAGLE BULL, ANNETTE M - \$43.00, LIC	ONE FEATHER, DELMAR - \$40.00, LIC
FINGER, LEONARD - \$376.47, LIC	PARTON, JOY - \$32.00, LIC
GARNETT, AQUALYNE - \$64.00	POURIER, JOEL - \$349.00
GOINGS, TANYA L - \$71.00	RED CLOUD, JOHN - \$45.90
JANIS, JENNIFER - \$90.50	ROSS, WILLIAM - \$53.00
LITTLE HAWK, JOLENE - \$32.40, LIC	
	SHORTAGE- \$10.00
	TOTAL -

\$579,996.53

DATED THIS 30th DAY OF NOVEMBER, 2010

/S/Sue Ganje, 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.

Motion by Hutchison, seconded by Yellow Bull to approve a corrective tax deed which, at the request of the title company, corrects an erroneous 1998 description of a property and authorize Chairwoman Whirlwind Horse to sign. All voting yes, the motion carried.

The Veterans Services Officer's monthly report was reviewed. Motion by Yellow Bull, seconded by Hutchison to approve the VSO monthly report and place it on file. With no further discussion and all voting yes, the motion carried.

Motion by Hagman, seconded by Yellow Bull to set the year-end meeting date for December 28, 2010 at 1:00 p.m. With no further discussion and all voting yes, the motion carried.

The September, 2010 General Fund Surplus Analysis was presented for review. Motion by Hutchison, seconded by Hagman to approve and place the review on file. With no further discussion and all voting yes, the motion carried.

SHANNON COUNTY GENERAL FUND SURPLUS ANALYSIS

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.

September 30, 2010

ASSETS:

10100	Cash	<u>128,865.09</u>
10800	Taxes Receivable--Current	<u>93,657.93</u>
11000	Taxes Receivable--Delinquent	<u>16,697.01</u>
11700	Accounts Receivable	<u> </u>
13100	Due from Other fund	<u> </u>

TOTAL ASSETS 239,220.03

GENERAL FUND SURPLUS ANALYSIS

LIABILITIES AND EQUITY:

20200	Accounts Payable	<u> </u>
22400	Deferred Revenue	<u>110,354.94</u>

FUND BALANCES:

27199	Reserved for Other Purposes (Specify)	
	Reserved for Hava Machines	<u>398.73</u>
	Reserved for Hospital Claims	<u>30,000.00</u>
27201	Designated for Next Year's Appropriations (one of the following)	
	March - 3/4 of the current year	
	September - 1/4 of current year + subsequent year	100,973.50
	December - subsequent year	<u> </u>
27209	Undesignated	<u>(2,507.14)</u>

TOTAL LIABILITIES AND EQUITY 239,220.03

Following Year General Fund Budget

(use current year for March analysis)

408,568.00

The unreserved, undesignated fund balance, account 27209, divided by the following year General Fund budget resulting in the fund balance percentage.

-0.61%

Highway Superintendent Lynn Bettelyoun met with the Board and reported on available rock and gravel, etc. that can be utilized as long as any material removed is replaced by dirt. Bettelyoun also reported the 1993 140G motor grader is in need of approximately four gear clutches and the repair will be made in January as an expense of the 2011 budget.

State's Attorney Jim Sword met with the Board to discuss the proposed Emergency Snow Removal agreement with OST Transportation. Sword stated the South Dakota Codified Law does not authorize agreements between the County and the Tribe, but Sword will work with the State to determine how a compact agreement can be made between the two agencies. The matter will be addressed on the January, 2011 agenda.

Motion by Yellow Bull, seconded by Hagman to approve the travel request for all Highway Department staff to attend the South Dakota Transportation Safety Conference in Fort Pierre on February 23 and 24, 2011. With no further discussion and all voting yes, the motion carried.

Motion by Yellow Bull, seconded by Hagman to approve the hire of Randy Marks as a security guard at a rate of \$9.00 per hour, effective November 18, 2010. With no further discussion and all voting yes, the motion carried.

Francis Pumpkin Seed entered the meeting at 12:05 p.m.

Public Comment was held at 12:05 p.m. with Bryan Kehn questioning revenues for weed spraying, which is built into the budget.

Treasurer Lori Bachand, along with Dorothy and Leah Brown Bear, met with the Board to request a delinquent tax agreement for their taxes. The Brown Bears requested the Assessor to a reappraisal.

A break was taken at 12:14 p.m.

The Treasurer met with the Board to present a revised delinquent agreement for Dorothy and Leah Brown Bear. A request was also made for interest and penalties to be waived and a payment schedule of \$200.00 per month. Discussion was also held regarding horses on their property, which is in the Town of Batesland.

Motion by Yellow Bull, seconded by Pumpkin Seed to approve the delinquent tax agreement with Dorothy and Leah Brown Bear, including a payment agreement of \$200.00 per month for six months and an assessment to be made at that time on the monthly payments. With no further discussion and all voting yes, the motion carried.

Director of Equalization Terri Halls met with the Board to discuss a request from CoreLogic for the Shannon County Tax Assessment book to be provided to them in an electronic format.

Motion by Yellow Bull, seconded by Pumpkin Seed to deny the request for electronic records and to inform CoreLogic that representatives from their company are always welcome to view the records in person at the Department of Equalization office. With no further discussion and all voting yes, the motion carried.

Sheriff Jim Daggett met with the Board to request reimbursement to Gene Linehan and Ken Orrock for hours put in for recertification for Veteran Law Enforcement.

Motion by Hutchison, seconded by Hagman to approve payment of 24 hours at \$10.00 per hour for Gene Linehan and Ken Orrock for attending Veteran Law Enforcement training for recertification. With no further discussion and all voting yes, the motion carried.

The Sheriff's monthly report was given to the board and discussion was held on activities.

Motion by Yellow Bull, seconded by Hagman to approve the Sheriff's report. With no further discussion and all voting yes, the motion carried.

Policy work was tabled and will be considered on the January, 2011 agenda.

Nick Tilsen met with the board to discuss a plat that needs approval but was not submitted before the agenda was set. Tilsen requested the Board expedite the approval and requested the Board consider calling a special meeting. After reviewing the plat, the Board agreed to call a special meeting as long as the Treasurer could attest that the taxes are current. A teleconference meeting will be arranged.

Tilsen also spoke of the development plan that Thunder Valley CDC has received grant funding for and would like to be on the January agenda to give a presentation to the Board.

Motion by Hutchison, seconded by Pumpkin Seed to set the teleconference for Monday, December 6, 2010 at 3:00 p.m. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman to approve the following bills as presented. All voting yes, the motion carried.

GENERAL FUND

COMMISSIONERS	NOV. SALARIES	\$	525.00
AUDITOR'S OFFICE	NOV. SALARIES	\$	3,361.03
TREASURER'S OFFICE	NOV. SALARIES	\$	2,961.95
STATE'S ATTORNEY OFFICE	NOV. SALARIES	\$	901.25
DIRECTOR OF EQUALIZATION	NOV. SALARIES	\$	1,575.68
REGISTER OF DEEDS	NOV. SALARIES	\$	1,738.69
VETERANS SERVICES	NOV. SALARIES	\$	986.56
SHERIFF'S OFFICE	NOV. SALARIES	\$	3,094.29
CORONER	NOV. SALARIES	\$	640.00
ELECTIONS	NOV. SALARIES	\$	1,326.00
ALLTEL	TELEPHONE	\$	195.56
BREVIK LAW OFFICE	MI	\$	190.38
ELECTION SYSTEMS & SOFT	SUPPLY	\$	2,797.62
ENGBRETSON, MELODY	TRAVEL	\$	42.00
FALL RIVER COUNTY AUDITOR	MISC	\$	1,974.68
CARDMEMBER SERVICE	MISC	\$	1,220.15
FRYMIRE, STACY	TRAVEL	\$	189.00
GANJE, SUE	TRAVEL	\$	231.00
GRAHAM, JULIE	TRAVEL	\$	462.00
HAGMAN, DELORIS	TRAVEL	\$	35.52
JENSEN, MICHELE	TRAVEL	\$	63.00
LAKOTA COUNTRY TIMES	PUBLISHING	\$	1,397.90
MARSHALL & SWIFT	SUB	\$	800.00
NACO	DUES	\$	400.00
OGLALA SIOUX TRIBE	RENT	\$	100.00
PUMPKIN SEED, FRANCIS	TRAVEL	\$	66.60
QUILL CORPORATION	SUPPLY	\$	78.08
RAPID LUBE	CAR MAINT	\$	52.90
SD ASSN OF COUNTY COMM.	LEGAL	\$	472.17
SD ASSN OF COUNTY OFFICAL	DUES	\$	1,135.12

SHANNON COUNTY SHERIFF	PETTY CASH	\$	199.11
SIGN EXPRESS	SUPPLY	\$	47.37
WHIRLWIND HORSE, CONNIE	TRAVEL	\$	167.26
YELLOW BULL, WENDELL	TRAVEL	\$	47.36
JEAN BELT	PAYROLL	\$	24.00
JUROR & WITNESS FEES	JUROR	\$	1,775.64
HUTCHISON, LYLA	TRAVEL	\$	59.20
	GENERAL FUND TOTAL	\$	31,334.07
COUNTY ROAD & BRIDGE			
ROAD AND BRIDGE	NOV. SALARIES	\$	11,874.94
& ADDITIONAL OVERTIME FOR			
LYNX BETTELYOUN	OVERTIME	\$	68.83
DAVID WHITE FACE	OVERTIME	\$	63.00
LEON ZIMBELMAN	OVERTIME	\$	63.00
A & B WELDING	REPAIR	\$	74.92
ALLTEL	TELEPHONE	\$	80.90
BAIR FORD MERCURY	REPAIR	\$	82.25
BUTLER MACHINERY CO.	REPAIR	\$	1,854.37
FARM PLAN	REPAIR	\$	45.84
CARDMEMBER SERVICE	MISC	\$	19.97
GENERAL STORE	SUPPLY	\$	271.79
GREAT PLAINS COMMUNICATIO	TELEPHONE	\$	158.73
HUSKER AUTO PARTS	REPAIR	\$	409.15
LACREEK ELECTRIC ASSOC	UTILITY	\$	258.18
MARTIN AUTO PARTS	REPAIR	\$	20.85
MCI COMM SERVICE	TELEPHONE	\$	44.97
SDPAA	INS	\$	27.00
TRUE VALUE	REPAIR	\$	174.88
WESTCO	FUEL	\$	4,836.74
	ROAD & BRIDGE TOTAL	\$	20,430.31
	GRAND TOTAL	\$	51,764.38

Motion by Hutchison, seconded by Yellow Bull to enter into Executive Session for legal and contract purposes. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 1:28 p.m.

The Board came out of Executive Session at 2:19 p.m.

Motion by Yellow Bull, seconded by Hutchison to adjourn. With no further discussion and all voting yes, the motion carried and the board adjourned at 2:20 p.m.

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

ATTEST:

**Sue Ganje, County Auditor
Shannon County**