

SHANNON COUNTY MINUTES OF FEBRUARY 8TH, 2010.

The Shannon Board of County Commissioners met in regular session on February 8th, 2010. Present Connie Whirlwind Horse, Lyla Hutchison, Delores Hagman, Sue Ganje, County Auditor and Julie Graham, Clerk. Absent Wendell Yellow Bull and Francis Pumpkin Seed.

Meeting called to order at 11:18 a.m., and the agenda was reviewed for conflicts, in which none were found.

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

Motion by Hutchison, seconded by Hagman to approve the minutes of January 22nd, 2010. All voting yes, the motion carried.

Motion by Hagman, seconded by Hutchison to approve the Auditor’s Account with the County Treasurer as follows. 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 day of January 29th, 2010.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST-----	<u>\$ 4,045.77</u>	<u> </u>
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK-----	<u>\$ 1,391.04</u>	
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANKHS	<u>\$ 7,935.60</u>	
TOTAL AMOUNT OF ACTUAL CASH-----	<u>\$ 2,979.77</u>	
TOTAL AMT OF CHECKS IN TREASURER’S POSSESSION NOT EXCEEDING THREE DAYS-----	<u>\$ 751.93</u>	
MONEY MARKET SAVINGS: BANK OF THE WEST-----	<u>\$ 2,266.20</u>	
WELLS FARGO BANK-----	<u>\$ 1,139.83</u>	
FIRST INTERSTATE BANK-HS	<u>\$346,458.88</u>	

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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

BLETHEN, RENE-----\$48.25-LIC

BROKEN NOSE, LEROY-----\$44.50-LIC

BURGESS, JEANNE-----\$45.00

EAGLE BULL, ANNETTE M-----\$43.00-LIC

GARNETT, AQUALYNE-----\$64.00

GOINGS, TANYA L-----\$71.00

JANIS, JENNIFER-----\$90.50

LITTLE HAWK, JOLENE-----\$32.40-LIC

LONE HILL, TRINA-----\$20.70-LIC

MCGAA, JUSTIN-----\$71.90-LIC

MESTETH, PERRY-----\$63.00

MORRISON, NADINE-----\$15.00

OLD HORSE, JOHN-----\$15.00

PARTON, JOY---\$32.00-LIC

POURIER, JOEL-\$349.00

RED CLOUD, JOHN-\$45.90

ROSS, WILLIAM---\$53.00

TOTAL \$618,363.17

DATED THIS 29TH DAY OF JANUARY, 2010

/S/SUE GANJE

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 Hagman, seconded by Hutchison to change meeting date from March 5th to March 4th, 2010 as the Auditor has a meeting to attend. All voting yes, the motion carried.

Motion by Hagman, seconded by Hutchison to approve travel of David Hauck, Weed Supervisor and a Weed Board Member, to attend the Annual Weed Workshop in Aberdeen, South Dakota, on February 16th through February 19th, 2010. The Weed Supervisor and a Weed Board member are required to attend to qualify the County for this year's grant. All voting yes, the motion carried.

Wendell Yellow Bull present at this time, time being 11:31 a.m.

The allotted amount of Recovery Zone Economy Bonds to Shannon County was discussed.

Motion by Hutchison, seconded by Hagman to table the Waiver of Volume Cap Allocation for Recovery Zone Facility Bonds and Economic Development Bonds until additional information is received on what these RZF Bonds can be used for and whether the County can designate their allotment to the Oglala Sioux Tribe. All voting yes, the motion carried.

Motion by Hutchison, seconded by Yellow Bull to approve the travel of Auditor and Election Clerk to travel to Pierre on March 2nd and 3rd, 2010. All voting yes, the motion carried.

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Francis Pumpkin Seed present at this time, time being 11:48 a.m.

Frank Maynard, Emergency Management, met to discuss the hopeful FEMA Blizzard Disaster designation, and possible reimbursement of expenses. Shannon County has submitted an invoice for reimbursement of costs for the damage done to the 1997 140H Motor Grader in the amount of \$27,600.00, along with all other blizzard costs incurred by the County.

Lynn Bettelyoun, Highway Supervisor, also updated the Board on other highway business, including reporting to the Board of the purchase from South Dakota Federal Property of a 2005 Dodge Pickup, as previously authorized. Bettelyoun requested the Board surplus to sell the 2001 F250 Ford Super Duty Crew Pickup and ask for sealed bids. The 2001 F250 Ford has 224,153 miles.

Motion by Yellow Bull, seconded by Hagman to surplus and to sell and ask for sealed bids for a 2001 F250 Ford Pickup, with sealed bids to be opened at 11:50 a.m. on Thursday, March 4th, 2010. All voting yes, the motion carried.

The Hearing for the continuation for Private Road Work was held. No one appeared, but the Board discussed what the law allowed for cost, what roads the County could do maintenance on and number of hours allowed.

Motion by Yellow Bull, seconded by Hutchison to approve the continuation of Private Road Work, and increase the number of hours allowed from a maximum of 6 hours to a maximum of 8 hours. This Private Road work is authorized by SDCL 31-11-41 & 31-11-45. No further discussion and all voting yes, the motion carried.

Discussion was held on the changing of the Home Rule to allow for the Election of a Sheriff and a letter from the States Attorney was reviewed. Deputy States Attorney, Patrick Ginsbach, States Attorney Jim Sword and Sheriff Jim Daggett were present for discussion.

Yellow Bull set precedence by changing with a Resolution.

Patrick Ginsbach, Deputy States Attorney, recommended asking for an Attorney General's opinion.

The States Attorney, Jim Sword, advised that a change of the Home Rule to elect rather than appoint a Sheriff provides that 10% of those voting in the last preceding gubernatorial election in the affected jurisdiction may, by petition, initiate the question of whether to adopt or amend a charter and must be approved by a majority of those casting votes.

Motion by Yellow Bull to approve a Resolution to change the Home Rule to elect rather than appoint a County Sheriff. Pumpkin Seed amended the motion to add that if an Attorney General's Opinion advises that an Election for a Home Rule is needed rather than a Resolution, then that process be started. Discussion continued and a vote was not taken.

Motion by Yellow Bull, seconded by Pumpkin Seed to follow the Shannon County States Attorney recommendation on changing the Home Rule to allow for the election rather than appointment of the County Sheriff. A petition must be signed by 10% of the number of voters at the last Governor's race (2457 voting, 10% = 246 signatures). The States Attorney will work on the wording for the Petition. If petitions are filed by August 12th, 2010, the issue will be on the 2010 General Election ballot, and would take effect in the 2012 election cycle. All voting yes, the motion carried.

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Motion by Hutchison, seconded by Pumpkin to go into executive session for personnel, time being 1:27p.m. All voting yes, the motion carried.

Came out at 3:47 p.m.

Motion by Yellow Bull, seconded by Hutchison to set an Executive session for personnel at the next meeting. All voting yes, the motion carried.

Discussion was held on the consideration to hire a part time Highway Supervisor Assistant, short term or long term.

Motion by Yellow Bull, seconded by Pumpkin Seed to Request Proposals for a limited hour Highway Supervisor Assistant, with closing date of March 1, 2010. All voting yes, the motion carried.

Motion by Pumpkin Seed, seconded by Yellow Bull to pay Ace Industrial the estimated \$2,500 billing. All voting yes, the motion carried.

Motion by Pumpkin Seed, seconded by Yellow Bull to table work on employee policies. All voting yes, the motion carried.

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

Commissioners Salaries (5-Comm)	Jan Salaries	\$ 775.00
Auditor's Office Salaries	Jan Salaries	3,355.27
Treasurer's Office Salaries	Jan Salaries	2,961.95
States Attorney Salary	Jan Salary	901.25
Dir. Of Equal. Office Salaries	Jan Salaries	1,575.68
Reg. of Deeds Office Salaries	Jan Salaries	1,738.69
Vets Service	Jan Salaries	986.56
Sheriff Salary	Jan Salary	3,094.29
Coroner Fees	Fees	240.00
American Family Assurance	February Insurance	24.60
Blue Cross/Blue Shield	February Prem.	307.75
South Dakota Retirement System	Jan Retirement	1,823.74
US Postal Service	Postage	308.36
Wells Fargo Bank	Jan/W/H/SS/MDCR	2,646.79
Alltel	Telephone	120.67
Behavior Management Syst	2010 Allotment	5,000.00
Carol Butzman Consulting	MI	929.17
Crop Production Services	Supply	3,960.75
Culligan	Misc	10.00
Dietrich, Donna	MI	136.14
Farrell, Farrell	January Contract	833.33
Forney's Standard Service	Gas	36.07
Golden West Telephone Co	Aud	211.37
Hagman, Deloris	Travel	35.52
Kooistra, Nelva	MI	15.00
Lakota Country Times	Publishing	573.52
McLeod's Office Supply	Supply	601.04
Oglala Sioux Tribe	Rent	100.00
Pennington County Auditor	Misc	123.00
Pennington Co States Atty	MI	800.00
Pumpkin Seed, Francis	Travel	33.30
Rapid City Journal	Publishing	.84
Rehfuss, Cathy	MI	15.00
Rapid Lube	Car Maint	32.95

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Shannon Cty Conservation	2010 Allotment	1,500.00
Shannon County Sheriff	Petty Cash	137.55
Shepherd Reporting LLC	MI	25.00
Sioux Funeral Home	Assistance	700.00
State Treasurer	MI	1,391.63
Whirlwind Horse, Connie	Travel	83.63
Yankton County	MI	103.75
Yankton County Sheriff	MI	25.00
Yellow Bull, Wendell	Travel	47.36
Hutchison, Lyla	Travel	59.20

COUNTY ROAD AND BRIDGE

CRBR Construction Salaries	January Salaries	12,233.91
Including Overtime for		
Lynn Bettelyoun	Overtime	2,025.00
Lynx Bettelyoun	Overtime	619.45
Summer Kaline	Overtime	162.00
Leon Zimbelman	Overtime	705.00
David White Face	Overtime	22.50

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American Family Assurance	February Insurance	162.48
Blue Cross/Blue Shield	Feb Insurance	639.42
Nebraska Child Support Pymt Center	Child Support	245.00
SD Retirement System	Jan Retirement	1,246.72
Wells Fargo Bank	Jan/W/H/SS/MDCR	3,002.49
A & B Welding	Supply	35.96
Alltel	Telephone	76.44
Butler Machinery Co.	Repair	1,270.18
Culligan	Supply	20.50
General Store	Supply	30.16
Golden West Telephone Co.	Hwy Telephone	3.64
Goldstar Products Inc	Supply	4,795.27
Homestead Building	Misc	144.00
Husker Auto Parts	Supply	1,700.08
Jefco Glass	Repair	164.38
LaCreek Electric Assoc	Electric	555.92
Martin Auto Parts	Supply	734.98
MCI Comm Service	Telephone	37.09
Menards	Misc	983.43
Quill Corporation	Supply	76.77
Scott Manufacturing	Misc	29.20
SD Federal Property Agcy	Truck	13,507.25
True Value	Supply	8.58
Westco	Supply	3,831.31

Motion by Yellow Bull, seconded by Hutchison to adjourn meeting, time being 3:53 p.m. All voting yes, the motion carried.

Connie Whirlwind Horse, Chairwoman
Board of County Commissioners
Fall River County

ATTEST:

Sue Ganje, County Auditor
Fall River County