

SHANNON COUNTY MINUTES OF MAY 7TH, 2010

The Shannon County Board of Commissioners met in regular session on May 7th, 2010. Present Connie Whirlwind Horse, Lyla Hutchison, Delores Hagman, Wendell Yellow Bull and Sue Ganje, County Auditor. Absent Francis Pumpkin Seed.

Chairwoman called the meeting to order, time being 11:14 a.m.

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

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

Motion by Hutchison, seconded by Hagman to approve the minutes of April 1st, 2010. With no further discussion and all voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman to set June meeting date to June 11th, 2010 to provide for the canvassing of the June 8th, 2010 Primary Election. All voting yes, the motion carried.

Motion by Yellow Bull, seconded by Hagman to approve the following resolution supporting the continuation of V.A. services in Hot Springs. All voting yes, the motion carried.

Shannon County Resolution #2010-06

WHEREAS, the Black Hills Association of County Commissioners (BHACC), representing 13 counties, met in Sturgis, South Dakota on March 26, 2010; and

WHEREAS, there ensued a discussion of the ongoing issues regarding the V.A. Black Hills Healthcare System and the future of its facilities and services at Fort Meade, Hot Springs and Rapid City; and

WHEREAS, Veterans throughout western South Dakota, eastern Wyoming and northwest Nebraska depend upon these facilities for medical and other services which they have earned because of their past service to this nation and its citizens in defending our precious freedom; and

WHEREAS, it is important to keep strong healthcare services in each of these areas to serve our resident Veterans and never forgetting our Native American Veterans without them having to drive often well over a hundred miles to get those services; and

WHEREAS, these long time facilities and employees have been an integral and necessary part of the lifeblood of their local communities; and

WHEREAS, the Shannon Board of County Commissioners wishes to show its continued support for our Veterans and their deserved receipt of quality medical services;

NOW, THEREFORE, BE IT RESOLVED, that we strongly urge the Veterans Administration to take a long and careful look at the needs of our area Veterans before making any decisions shifting or cutting back on our area care facilities; and

BE IT FURTHER RESOLVED; that we urge our Congressional delegations from South Dakota, Nebraska and Wyoming as well as the American Legion, VFW, DAV and their auxiliaries to pay close attention to the Veterans Administration and its short-term and long-term plans for the Veterans served in all three states.

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Dated this 7th day of May, 2010

ATTEST:
/S/Sue Ganje
Sue Ganje, County Auditor
Shannon County

/S/Connie Whirlwind Horse
Connie Whirlwind Horse, Chairwoman
Board of County Commissioners
Shannon County

Motion by Yellow Bull, seconded by Hutchison, to approve the Oglala C.A.P. building for the June 8th, 2010 Primary Election. All voting yes, the motion carried.

Kathy Timmins, Deputy Director of Equalization, met with the Board to provide the results of the Exempt listing letters mailed out. Discussion was held.

Francis Pumpkin Seed present at this time, time being 11:49 a.m.

Motion by Hagman, seconded by Hutchison to approve the following action on the 2011 tax exempt status for the following properties: 1. Deny the Lakota Baptist Church, W ½ SW ¼ SW ¼, Sec 11, Twp 37, Rng 46, as no application was received, unless the application is received by 5/14/10; 2. Deny the Makasan Presbyterian Church, E ½ E ½ E ½ SE ¼ SW ¼, unless information is received by 5/14/10; 3. Deny Porcupine Presbyterian Church, N ½ NW ¼ NE ¼ SE ¼, Sec 29, Twp 38, Rng 42, unless information is received by 5/14/10; 4. Approve 5 acres for the Wings as Eagles Ministries. 4. Approve 5 acres for the Wakanyeja Pawicayapi, Inc. 5. Approve 5 acres for the Red Cloud Indian School: Lot 3, S1,T35,R45; Deny the SW ¼ SE ¼, Sec 23, Twp 36, Rng 45. All voting yes, the motion carried.

Motion by Yellow Bull, seconded by Pumpkin Seed, 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 30TH Day of April, 2010.

TOTAL AMT OF DEPOSIT IN BANK OF THE WEST-----	\$ 4,046.27	___
TOTAL AMT OF DEPOSIT IN WELLS FARGO BANK-----	\$ 1,391.19	___
TOTAL AMT OF DEPOSIT IN FIRST INTERSTATE BANKHS\$	6,487.34	___
TOTAL AMOUNT OF ACTUAL CASH-----	\$ 1,585.25	___
TOTAL AMT OF CHECKS IN TREASURER'S POSSESSION NOT EXCEEDING THREE DAYS-----	\$28,031.88	___
_MONEY MARKET SAVINGS: BANK OF THE WEST-----		
	\$ 2,266.94	___
	WELLS FARGO BANK-----	\$ 1,139.97
	FIRST INTERSTATE BANKHS\$	277,180.06
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

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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--	\$376.47
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		

TOTAL \$573,899.52

DATED THIS 30TH DAY OF APRIL, 2010

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.

Frank Maynard, Emergency Management, met with the Board to request approval for the County Rangeland Fire Protection Agreement with the South Dakota Department of Agriculture.

Motion by Hagman, seconded by Yellow Bull to approve the County Rangeland Fire Protection Agreement with the SD Dept of Agriculture. With all voting yes, the motion carried.

Maynard also made notification that the County will receive State/Federal reimbursement for the December 2009 Blizzard in the amount of \$4,607.84.

Fuel quotes were received for May 5, 2010.

<u>UNLEADED(500G)</u>	<u>RED DIESEL#2(1300G)</u>	<u>PROPANE(700G)</u>
Muddy Creek-----	No Response	
Pine Ridge Oil-----	No Response	
Westco-----	\$2.742per gallon	\$2.655per gallon
Nelsons-----	\$2.79 per gallon	\$2.62 per gallon

Motion by Yellow Bull, seconded by Pumpkin Seed to approve Westco for 500 gallons unleaded at \$2.742 per gallon and 1300 gallon red diesel #2 at \$2.655 per gallon. All voting yes, the motion carried.

Private road contracts were presented for Mike Sierra (Francis Pumpkin Seed), Range 45W, T53 7N, 5 miles East to Section 15, SE Corner, blade road in the amount of \$236.00; William and Deloris Hagman, Hagman Ranch, in the amount of \$113.00. Hagmans have donated 132 tons of gravel for work on County Rd #5 (value of \$732.60), so this road work,

with one future blading, will be charged against the balance of the donation, with a total donation in the amount of \$506.60; and Darlene Bettelyoun, 1 mile in SE ¼ of Section 19, Twp 37, Rng 45, in the amount \$59.00, paid.

Motion by Hutchison, seconded by Yellow Bull to approve private road contract for Mike Sierra (Pumpkin Seed), upon payment and signature in the amount of \$236.00; approve private road contract with William and Deloris Hagman, Hagman Ranch, 2 road bladings in the amount of \$226.00 (donation to the County in the amount of \$506.60). With Pumpkin Seed and Hagman abstaining, and all others voting yes, the motion carried.

Motion by Hagman, seconded by Pumpkin Seed to approve a private road contract with Darlene Bettelyoun, \$59.00 (paid). All voting yes, the motion carried.

Board reviewed the monthly report submitted by Lynn Bettelyoun, and had a phone conference with Lou Nolette on highway activities.

Nolette stated there is a need for culverts, reported on the Wounded Knee road and discussed the Denby Road.

Francis Pumpkin Seed recused himself as Commissioner and reported on his activities as the Voter Rights Coordinator, establishing the Lakota Election Program for elderly voters.

Motion by Hutchison, seconded by Yellow Bull, to approve hiring Steve Hawk and Mary Lame to assist with the Lakota Election Program at \$10.00 per hour, part time. With Pumpkin Seed abstaining and all others voting yes, the motion carried.

Motion by Hutchison, seconded by Yellow Bull to approve the Oglala Sioux Tribe Lease Agreement at the old hospital in the amount of \$500.00 for the period of May through November. With Pumpkin Seed abstaining and all others voting yes, the motion carried.

Motion by Hutchison, seconded by Yellow Bull to approve the purchase of needed office equipment and a copy machine. With Pumpkin Seed abstaining and all others voting yes, the motion carried.

Motion by Hutchison, seconded by Hagman to approve weekly travel reimbursements to Francis Pumpkin Seed for the Coordinator of the Lakota Election Program for elderly voters. With Pumpkin Seed abstaining and all others voting yes, the motion carried.

Pumpkin Seed back as County Commissioner.

Motion by Pumpkin Seed, seconded by Hagman to enter into executive session for personnel, time being 1:37 p.m. All voting yes, the motion carried.

Came out at 2:25 p.m.

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

GENERAL

COMM. SALARIES (5-COMM)	APRIL SALARIES	\$ 550.00
AUDITOR'S OFFICE SALARIES	APRIL SALARIES	3,361.03
TREASURER'S OFFICE SALARIES	APRIL SALARIES	2,961.95
STATES ATTORNEY SALARY	APRIL SALARY	901.25
DIR. OF EQUAL. OFFICE SALARIES	APRIL SALARIES	1,575.68
REG. OF DEEDS OFFICE SALARIES	APRIL SALARIES	1,738.69

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VETS SERVICE OFFICE SALARIES	APRIL SALARIES	986.56
SHERIFF SALARY	APRIL SALARY	3,094.29
AMERICAN FAMILY ASSURANCE	APRIL INSURANCE	24.60
DAGGETT, JIM	MAY BLUE CROSS PREM.	307.75
FARRELL, FARRELL & GINSBACH	APR/DEP/ST ATY/CONTRACT	833.33
CARDMEMBER SERVICE	SUPPLY	211.99
CARDMEMBER SERVICE	SUPPLIES	870.47
HAGMAN, DELORIS	TRAVEL	35.52
PUMPKIN SEED, FRANCIS	TRAVEL	177.44
SD ASSN OF COUNTY OFFICIAL	REGISTRATION/GRAHAM	150.00
SD ASSN/ASSESSING OFFICER	REGISTRATION/TIMMINS	100.00
SOUTH DAKOTA RETIREMENT SYSTEM	APRIL RETIREMENT	1,824.44
US POSTAL SERVICE	POSTAGE	247.90
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	2,576.45
WHIRLWIND HORSE, CONNIE	TRAVEL	83.63
YELLOW BULL, WENDELL	TRAVEL	47.36
HUTCHISON, LYLA	TRAVEL	59.20
ALLTEL	SHERIFF	120.42
BANKS, BRIDGETTE	COURT REPORTER	155.80
BROWN & SAENGER	SUPPLIES	83.50
DECATUR ELECTRONICS INC.	SUPPLIES/RADAR	630.00
FORNEY'S STANDARD SERVICE	TIRE REPAIR	30.03
HAGMAN, DELORIS	TRAVEL	35.52
LAKOTA COUNTRY TIMES	PUBLISHING	910.64
LEWIS & CLARK BHS	MENTAL ILLNESS	142.00
PUMPKIN SEES, FRANCIS	TRAVEL	432.00
QUILL CORPORATION	SUPPLIES	368.90
RAPID LUBE	MAINTENANCE	32.95
SYNERGY GRAPHICS	SUPPLIES	150.00
WHIRLWIND HORSE, CONNIE	TRAVEL	83.63
YELLOW BULL, WENDELL	TRAVEL	47.36
HUTCHISON, LYLA	TRAVEL	59.20
 <u>COUNTY ROAD AND BRIDGE</u>		
CRBR SALARIES	APRIL SALARIES	10,392.14
INCLUDING OVERTIME FOR		
LEON ZIMBLEMAN	OVERTIME	27.00
BLUE CROSS/BLUE SHIELD	MAY HEALTH INS	1,598.55
NEBRASKA CHILD SUPPORT	CHILD SUPPORT	245.00
LOUIE NOLLETT	SUPERVISOR WAGE	1,637.50
SOUTH DAKOTA RETIREMENT	APRIL RETIREMENT	1,247.04
WELLS FARGO BANK	APR/W/H/SS/MDCR TAX	2,350.46
A&B WELDING	SUPPLIES	35.96
ALLTEL	HWY PHONE	77.46
BUTLER MACHINERY CO.	SUPPLY/REPAIR	643.02
CULLIGAN	SUPPLY	9.25
FARM PLAN	REPAIR	11.33
GENERAL STORE	SUPPLIES	32.79
GREAT PLAINS COMMUNICATION	UTILITIES	158.97

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HUSKER AUTO PARTS	SUPPLIES/REPAIR	896.80
LACREEK ELECTRIC	UTILITIES	299.62
MARTIN AUTO PARTS	SUPPLIES/REPAIR	92.30
MCI COMM SERVICE	UTILITIES	38.60
PINE RIDGE AUTO PARTS	SUPPLIES/REPAIR	338.58

Patrick Ginsbach, Deputy States Attorney, presented the updated petitions for a County Home Rule Charter Amendment. These petitions will put this amendment on the 2010 General Election Ballot if returned to the Auditor with approximately 250 signatures in August. This amendment would change the Home Rule to allow for the election of a Sheriff rather than by appointment and would be effective for the 2014 normal Sheriff Election cycle. The County Commissioners took the petitions for circulation.

Sheriff Jim Daggett met to give his monthly report.

The Auditor presented the 2009 year end Annual Report and the March 2010 General Fund Surplus Analysis was reviewed and placed on file.

Motion by Hagman, seconded by Hutchison to approve and place on file the March 31st, 2010 General Fund Surplus Analysis. All voting yes, the motion carried.

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.

_____ **SHANNON** _____ **County**

DATE March 31 2010

ASSETS:

10100 Cash	112,203.49
10800 Taxes Receivable--Current	208,742.29
11000 Taxes Receivable--Delinquent	20,102.33
11700 Accounts Receivable	2,046.30
13100 Due from Other fund	

TOTAL ASSETS 343,094.41

GENERAL FUND SURPLUS ANALYSIS

LIABILITIES AND EQUITY:

20200	Accounts Payable	<u>7,047.34</u>
22400	Deferred Revenue	<u>228,844.62</u>

FUND BALANCES:

27199	Reserved for Other Purposes (Specify)	
	Reserved for Hava Machines	
	Reserved for Hospital Claims	<u>80,000.00</u>
27201	Designated for Next Year's Appropriations (one of the following)	
	March - 3/4 of the current year	48,799.50
	September - 1/4 of current year + subsequent year	
	December - subsequent year	
27209	Undesignated	<u>(21,597.05)</u>

TOTAL LIABILITIES AND EQUITY 343,094.41

Following Year General Fund Budget
(use current year for March analysis) 403,789.00

The unreserved, undesignated fund balance, account 27209,
divided by the following year General Fund budget
resulting in the fund balance percentage -5.35%

An application for County assistance was reviewed.

Motion by Pumpkin Seed, seconded by Yellow Bull to approve payment of \$150.00 for electric assistance upon verification of certain information. All voting yes, the motion carried.

Motion by Pumpkin Sees, seconded by Yellow Bull to adjourn, time being 3:18 p.m. All voting yes, the motion carried.

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

ATTEST:

**Sue Ganje, County Auditor
Shannon County**