

SHANNON COUNTY MINUTES OF AUGUST 11th, 2010.

The Board of County Commissioners of Shannon County met in special session on August 11th, 2010 at the Billy Mills Hall in Pine Ridge. Present Connie Whirlwind Horse, Lyla Hutchison, Deloris Hagman, Francis Pumpkin Seed, Wendell Yellow Bull, Sue Ganje, County Auditor and Jim Sword, States Attorney.

The meeting was called to order by Chairwoman Whirlwind Horse at 10:35 a.m. A prayer was given in Lakota by Stanley Star Comes Out. Whirlwind Horse asked for comments by county residents to help the Shannon Commission decide on lifting the suspension of Sheriff Jim Daggett or continue with the temporary appointment of Stanley Star Comes Out. Yellow Bull welcomed all people attending the Commission meeting in Pine Ridge, being held there to allow constituents the opportunity to speak on the Sheriff issue. Yellow Bull stated that while staying within the laws of the Home Rule, he hopes for a decision to be made without bias, that common ground can be found and that the Commission and the residents will come to a consensus on the Sheriff issue. The meeting was opened up for comments, with a 5 -10 minute limit.

With 27 people speaking, many people spoke of jurisdictional issues in the county, traveling to Fall River County for services such as license plates, and birth and death records, and strongly of wanting County services in Shannon County. People spoke of wanting more, or all, Tribal members on the County Commission. People spoke of problems with whites on the reservation, and racism faced by members, and this being Indian land and that the whites do nothing for the Lakota, along with problems within Tribal government. Taxes paid by residents were spoken of throughout the meeting. A few speakers had very positive comments that encouraged working together. Concerns were voiced both in favor and against Sheriff Daggett. One individual who spoke, Steve Hawk, the Voting Coordinator for the County, voiced concerns regarding the history and relationship with the Tribe, with the government and the white population.

Hutchison spoke that the issue on county services in Shannon County was not that the Board did not want them there, and they do, but that due to budgeting issues and the lack of property tax valuation, they were unable to afford local services. The challenge is to get the Federal Government to pay some sort of monies to reimburse for the non taxable land in the county, as the majority of the land is in trust. Only real estate property taxes, plus a few small revenues, fund the budget to pay for all of the services, with the exception of the road and fire funds, and these taxes are paid by only a small amount of taxpayers on the land that is not in Trust.

After hearing comments, Yellow Bull spoke of the respect he should be given being an elected official, and that he has been accused of wrongdoing and bribery. He spoke of the need for a solid financial administration that could assist Tribal government, and information he has asked for but not received to help build County government in Shannon County, with hopes for all elected positions to be from Shannon County, and the sacred trust the Commissioners have been given for an accountable system. Jim Sword, States Attorney and Emily Lefholz spoke about the investigation conducted from his office. A break was taken, and called back to order at 2:20 p.m.

Discussion was held on the posted agenda and whether a motion could be made today, but after contacting the SD Attorney General's Office it was determined that as today's meeting was a continued hearing from the August 6th, 2010, where action on the Sheriff was posted, the Board could continue with making a decision.

Motion by Pumpkin Seed, seconded by Hutchison to enter into executive session for personnel, time being 2:25 p.m. With all voting yes, the motion carried.

Came out of executive session at 4:19 p.m.

Whirlwind Horse discussed the advice that had been received and that a number of items had been discussed including laws that would supersede State Law, and that State Law should be applied to all action taken. Yellow Bull spoke on the responsibility of Department Supervisors to turn in all equipment at the release of duty, and inventory issues.

Motion by Yellow Bull seconded by Pumpkin Seed to terminate Jim Daggett, with Pumpkin Seed stating that there were 3 items Daggett failed to complete. These items were not specifically explained.. Discussion was held and Whirlwind Horse called for the vote. Roll call vote: Whirlwind Horse – aye; Hutchison – nay; Hagman – nay; Pumpkin Seed - aye and Yellow Bull – aye. Motion carried.

A resident questioned State Law that authorizes only the Governor to terminate a Sheriff, with Sword stating that it was for the courts to decide.

A resident spoke on what he felt was the actual existing factor, and questioned the room if every one understood racism, and after negative comments about Daggett, the Attorneys asked that the comments end, and the meeting ended at that time.

Connie Whirlwind Horse, Chairwoman

Attest:

Sue Ganje, Auditor

