

OGLALA LAKOTA COUNTY MINUTES OF FEBRUARY 2, 2018

The Oglala Lakota Board of County Commissioners met in regular session on February 2, 2018. Present: Lyla Hutchison, Arlin Whirlwindhorse, Wendell Yellow Bull and Sue Ganje, Auditor. Art Hopkins and Anna Takes the Shield were absent.

The Pledge of Allegiance was stated and the meeting called to order at 1:15 p.m. by Chairman Yellow Bull. The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Art Hopkins entered the meeting at 1:16 p.m.

Motion made by Whirlwindhorse, seconded by Hutchison, to approve the agenda as written.

Motion made by Hutchison, seconded by Whirlwindhorse to approve the minutes of December 29, 2017 and January 5, 2018.

Motion made by Hutchison, seconded by Whirlwindhorse, to review and place on file the January 2018 Veteran Service officer's monthly report.

Motion made by Whirlwindhorse, seconded by Hopkins, to approve the December 31, 2017 Auditor's Account with the County Treasurer.

**AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER
TO THE HONORABLE BOARD OF OGLALA LAKOTA 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 31st day of December, 2017.

Total Amt of Deposit in First Interstate Bank, HS:	<u>\$9,248.79</u>
Total Amount of Cash:	<u>\$1,577.50</u>
Total Amount of Checks in Treasurer's	
Possession Not Exceeding Three Days:	<u>\$1,312.16</u>
MONEY MARKET SAVINGS:	
First Interstate-Hot Springs:	<u>\$1,731,660.80</u>
CERTIFICATES OF DEPOSIT:	
First Interstate-Hot Springs:	<u>\$200,000.00</u>

Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:

Sheriff Change Fund: \$200.00
Election Petty Cash: \$15.00
Treasurer Shortage:

TOTAL \$1,944,014.25

Dated This 31st Day of December, 2017.

/s/Sue Ganje

Sue Ganje, County Auditor of Oglala Lakota County

County Monies: \$1,889,094.76
Held for other Entities: \$14,579.10
Held in Trust: \$40,340.39
TOTAL: \$1,944,014.25

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 made by Whirlwindhorse, seconded by Hutchison, to approve the surplus and trade of a 2009 Chevy Impala, Vin ending 0237, for a 2005 Crown Victoria, Vin ending 1975, owned by the Oglala Sioux Tribe. This will be for the Oglala Lakota County Sheriff's Department.

Motion made by Hutchison, seconded by Hopkins to approve the revised Intergovernmental Contract (IGC) between the South Dakota Public Assurance Alliance and Oglala Lakota County, effective January 1, 2018.

Discussion was held on polling places. Motion made by Whirlwindhorse, seconded by Hutchison, to approve the following resolution:

UGLALA LAKOTA RESOLUTION #2018-03

WHEREAS, SDCL 12-14-1 allows for the establishment of polling locations in each County; and NOW THEREFORE, BE IT RESOLVED, that the Oglala Lakota County 2018 polling places be established as follows:

COUNTY COMMISSIONER DISTRICT 1

PORCUPINE PRECINCT- Christ of King Parish: Bill Pauly Hall, Porcupine, SD

COUNTY COMMISSIONER DISTRICT 2

UGLALA PRECINCT- Brother Renee Hall, Oglala, SD

MANDERSON PRECINCT- Manderson CAP Office, Manderson, SD

COUNTY COMMISSIONER DISTRICT 3

CUNY TABLE PRECINCT- Red Shirt School, Red Shirt, SD

KYLE PRECINCT- Kyle CAP Office, Kyle, SD

ROCKYFORD PRECINCT- Singing Horse Trading Post, 7 mi. N. of Manderson, SD

COUNTY COMMISSIONER DISTRICT 4

PINE RIDGE PRECINCT 3- Billy Mills Hall, Pine Ridge, SD

COUNTY COMMISSIONER DISTRICT 5

PINE RIDGE PRECINCT 1- Billy Mills Hall, Pine Ridge, SD

BATESLAND PRECINCT- Oglala Lakota School, Batesland, SD

Dated this 2nd day of February, 2018.

ATTEST:

/s/Wendell Yellow Bull, Chairman

Oglala Lakota County Board of Commissioners

/s/Sue Ganje, Oglala Lakota County Auditor

A letter was reviewed from Rolf Kraft, County Commissioner of Bennett County. Kraft asked for counties that have tax exempt trust lands to attend a hearing in Pierre during the Legislative Session. Discussion was held on the request and need for legislative endorsement. Motion made by Hopkins, seconded by Whirlwindhorse, to approve Hutchison to follow-up on an exempt trust land hearing with District 27 Representative Liz May for counties in Pierre.

Anna Takes The Shield joined the meeting by phone at 1:50 p.m.

Sue Ganje, County Auditor, asked the board for consideration to increase what the county pays towards employee health insurance. The county currently pays \$400.00 per employee per month, and the monthly premium was \$454.46. The recently renewed policy increases employee cost to \$137.77 monthly. Motion made by Hutchison, seconded by Hopkins, to increase the amount the county pays toward employee's monthly to \$450.00, which leaves employees paying \$87.77 out of pocket monthly. With a roll call vote, and all voting yes, the motion carried.

Susie Simkins, Director of Equalization, met with the board to present pay 2019 preliminary values, noting many changes (additions and removals) after the re-appraisal. Simkins spoke of deadlines, normal appeals, etc. She will bring back final values in March.

Simkins presented an abatement. Motion made by Hutchison, seconded by Hopkins to abate taxes for Porcupine Trading Post, parcel number 13990-03645-0010, pay 1992, \$529.24; pay 1993, \$454.03; pay 1994, \$490.49; pay 1995, \$709.52; pay 1996, \$703.88; pay 1997,

\$633.18; pay 1998, \$713.14; pay 1999, \$653.66; pay 2000, \$634.58; pay 2001, \$711.44; pay 2002, \$680.80; pay 2003, \$675.36; pay 2004, \$670.94 and pay 2005, \$637.70. Reason: Building leased from Oglala Sioux Tribe, should not be on the tax rolls. With a roll call vote, and all voting yes, the motion carried.

Simkins advised the board of a new organization seeking tax exempt status. She will come to the board in the future for action.

Lynx Bettelyoun, Highway Superintendent, met with the board. Motion made by Hutchison, seconded by Hopkins to table purchasing off of Beadle County Culvert bids for 2018 until the next meeting. With a roll call vote, and all voting yes, the motion carried.

Motion made by Hopkins, seconded by Whirlwindhorse, to approve the Agreement between Oglala Lakota County and Brosz Engineering, Inc, for Professional Engineering Services for the Kyle Phase III project. With a roll call vote, and all voting yes, the motion carried.

Motion made by Hutchison, seconded by Hopkins, to table the resolution for the road ROW Agreement. With a roll call vote, and all voting yes, the motion carried.

The hearing for continuation private road work in 2018 was held as advertised. Discussion was held on providing count for individuals. Motion made by Hopkins, seconded by Hutchison for the continuation of private road work in 2018, as per SDCL 31-11-41 thru 31-11-45.

Break was taken at 2:30 p.m. The meeting reconvened at 2:35 p.m.

Nick Hernandez, President of the Porcupine District met with the board. Hernandez questioned the process for changing voting precinct boundaries, with a request to match county and tribal boundaries for better turnout, also noting housing studies that can be utilized. The auditor spoke of the attempt to have polling places in the same locations with tribal polling locations in the general elections, but appreciated the map with the tribal districts. Discussion was also noted on procedures needed by commissioners as they are by district, with changes after each census. Commissioners agreed to work with the tribe in the future for boundaries that work for all. The State's Attorney noted we are not under a federal pre-clearance now so will be easier to work together, while still following requirements for voting districts and census figures.

Loreal Black Shawl, president of the 1890 Wounded Knee Massacre Descendants Society, a non-profit organization, met with the board and presented petitions to adopt a zone ordinance designation of for historic property, and establish a historic preservation commission, and send notice to OL County Director of Equalization. All as authorized by SD Codified laws. Black Shawl spoke of the need to protect 40 acres that are included in the 870 acre boundary which is designated by the National park service and is designated as a National Historic site. Discussion was held on many issues, procedure for this proposal, zoning, conditional use, spot zoning, cultural views, county and the tribe. Testimony was heard from decedents asking for the preservation and protection. The board agreed that if there is a hearing, it will be in Pine Ridge.

Motion made by Hopkins, seconded by Hutchison, to approve setting a historical preservation commission.

Motion made by Hutchison, seconded by Takes The Shield, to develop a comprehensive zoning plan. With a roll call vote, and all voting yes, the motion carried.

Future actions will be taken at the next meeting.

Discussion was held on the coroner position.

Takes The Shield left the meeting via phone at 4:04 p.m.

Motion made by Hutchison, seconded by Hopkins to enter executive session at 4:05 p.m. as per SDCL 1-25-2 for legal purposes. Meeting reconvened at 4:27 p.m.

Motion by Whirlwindhorse, seconded by Hutchison to approve the bills as follows:

GENERAL FUND

AMERITAS	DENTAL/VISION INSURANCE	\$116.52
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$67.62
AT&T TELECONFERENCE	TELECONFERENCE	\$24.39
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE PREMIUM	\$537.77
CENTURY BUSINESS	COPIER LEASE/METER	\$14.46
TAKES THE SHIELD, ANNA	MILEAGE	\$45.36
EFTPS	PAYROLL TAXES	\$2,295.44
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$75.00
CARDMEMBER SERVICE	CARD MEMBER SERVICES	\$389.37
FIRST INTERSTATE BANK	FIRST INTERSTATE BANK	\$34.10
GOLDEN WEST	LOCAL PHONE/EMAIL/LONG DISTANCE	\$283.00
HOPKINS, ARTHUR L	MILEAGE	\$95.76
LAKOTA COUNTRY TIMES	PUBLICATION	\$130.15
MARTINEZ, AUDREY	CORONER MILEAGE	\$154.98
MASTEL, BRUCE	WEB HOST/UPDATE/SERV	\$35.00
OGLALA SIOUX TRIBE	MONTH RENT FOR VETERAN'S SERVICE OFFICER	\$100.00
O'NEILL, JUSTIN	LIEN	\$117.50
PENNINGTON COUNTY JAIL	INMATE HOUSING	\$300.00
REVERVE ACCOUNT	POSTAGE METER PITNEY	\$162.00
QUALIFIED PRESORT SERVICE	2017 TAX FORM MAILER	\$282.15
RELIANCE STANDARD	LIFE INSURANCE	\$59.00
SDAAO	SDAAO MEMBERSHIP	\$75.00
SECRETARY OF STATE	PISTOL PERMITS	\$58.00
OL COUNTY TREASURER	SALES TAX	\$6.44
BADLANDS CONSERVATION	2018 BUDGETED ALLOTMENT	\$2,500.00
SKINNER, MATTHEW	CAAF	\$530.40

SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,338.56
STATE TREASURER	AUTO FEE/MI	\$120.00
TREASURER - EXPENSES	TREASURER EXPENSES	\$179.18
WHIRLWIND HORSE, ARLIN	MILEAGE	\$95.76
YELLOW BULL, WENDELL	MILEAGE	\$53.76
HUTCHISON, LYLA	MILEAGE	\$67.20
PROVOST, KARLY	PISTOL PERMIT REFUND	\$10.00
COMMISSIONER	JANUARY SALARY	\$725.00
AUDITOR	JANUARY SALARY	\$1,389.58
TREASURER	JANUARY SALARY	\$1,389.58
STATE'S ATTORNEY	JANUARY SALARY	\$2,016.67
REGISTER OF DEEDS	JANUARY SALARY	\$1,389.58
VETERAN'S SERVICE OFFICER	JANUARY SALARY	\$1,291.67
SHERIFF	JANUARY SALARY	\$3,937.08
CORONER	JANUARY SALARY	\$720.00
	TOTAL FOR GENERAL FUND	\$23,213.03

COUNTY ROAD & BRIDGE

A & B WELDING SUPPLY	WELDING SUPPLY/LEASE	\$46.50
AMERITAS	DENTAL/VISION INSURANCE	\$142.48
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$63.81
ATCO INTERNATIONAL	SUPPLY	\$115.25
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE PREMIUM	\$1,325.47
BUTLER MACHINERY CO.	EQUIP/REPAIR	\$2,338.91
CALIFORNIA CONTRACTORS	SUPPLY	\$286.97
CULLIGAN	UTILITY/WATER DISPENSER	\$16.50
EFTPS	PAYROLL TAXES	\$2,629.68
GREAT PLAINS COMMUNICATION	LOCAL PHONE & INTERNET	\$186.09
GREAT WESTERN TIRE INC.	SUPPLY	\$771.52
KINETIC LEASING INC	GRADER YEARLY LEASE	\$40,185.61
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$640.36
LAKOTA COUNTRY TIMES	PUBLICATION	\$45.00
MARTIN AUTO PARTS	PARTS/SUPPLY	\$559.64
MCI COMM SERVICE	LONG DISTANCE PHONE	\$48.83
MENARDS	SUPPLY	\$59.51
MODERN FARM EQUIPMENT CO.	2017 TRACTOR RENTAL	\$3,600.00
MONTANA CSED	CHILD SUPPORT	\$441.16
RELIANCE STANDARD	LIFE INSURANCE	\$90.75
SD FEDERAL PROPERTY AGCY	SUPPLY	\$178.50
OL COUNTY TREASURER	SALES TAX	\$8.10
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,368.34
WYOMING CHILD SUPPORT	CHILD SUPPORT	\$542.00
WESTCO	FUEL/UTILITIES	\$1,316.80
HIGHWAY DEPARTMENT	JANUARY SALARY	\$11,925.37

HIGHWAY DEPARTMENT	OVERTIME	\$42.17
	TOTAL FOR COUNTY ROAD & BRIDGE	\$68,975.32
	TOTAL PAID BETWEEN 1/06/18 AND 2/02/18	\$92,188.35

Motion made by Hopkins, seconded by Hutchison, to adjourn at 4:27 p.m.

/s/ Wendell Yellow Bull
Wendell Yellow Bull, Chairman
Board of Oglala Lakota County
Commissioners

ATTEST:
/s/ Sue Ganje
Sue Ganje, Oglala Lakota County Auditor