

OGLALA LAKOTA COUNTY APPROVED MINUTES OF JULY 8, 2020

The Oglala Lakota Board of County Commissioners met in regular session on July 8, 2020. Present: Art Hopkins, and Anna Takes the Shield (via phone), Wendell Yellow Bull and Sue Ganje, Auditor in person. Ramon Bear Runner and Eugenio White Hawk were absent.

The Pledge of Allegiance was given, and the meeting called to order at 1:11 p.m. by Chairwoman Takes the Shield. The agenda was reviewed for conflicts. ALL MOTIONS WERE PASSED BY UNANIMOUS ROLL CALL VOTES, UNLESS OTHERWISE STATED.

Motion made by Yellow Bull, seconded by Hopkins, to approve the agenda as written.

Motion made by Yellow Bull, seconded by Hopkins, to approve the minutes of May 21 and June 5, 2020.

Motion made by Yellow Bull, seconded by Hopkins, to approve the May Auditor's Account with the Treasurer as follows:

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 May 2020.

Total Amt of Deposit in First Interstate Bank, HS:	<u>\$-827.39</u>
Total Amount of Cash:	<u>\$1,466.70</u>
Total Amount of Checks in Treasurer's	
Possession Not Exceeding Three Days:	<u>\$16,821.39</u>
MONEY MARKET SAVINGS:	
First Interstate-Hot Springs:	<u>\$2,365,789.73</u>
CERTIFICATES OF DEPOSIT:	
First Interstate-Hot Springs:	<u>\$200,545.51</u>
Black Hills Federal Credit Union:	<u>\$50,000.00</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 \$2,634,010.94

Dated this 31st day of May 2020.

/s/Sue Ganje

Sue Ganje, County Auditor of Oglala Lakota County

County Monies: \$2,546,198.50

Held for other Entities: \$43,084.91

Held in Trust: \$44,727.53

TOTAL: \$2,634,010.94

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 Yellow Bull, seconded by Hopkins, to approve travel for Bobbie Janis, Kathy Timmins and all commissioners to attend the Fall Convention, Sioux Falls, September 14 and September 15, 2020.

White Hawk joined the meeting at 1:26 p.m.

Takes the Shield exited the meeting via phone and turned the meeting over to White Hawk at 1:30 p.m.

Melody Engebretson, Register of Deeds, met with the board to present her 2021 budget.

Lynx Bettelyoun, Highway Superintendent, met with the board to discuss a gravel trucking agreement with Bob Lee Trucking. Motion made by Yellow Bull, seconded by Hopkins, to authorize Bettelyoun and the State's Attorney to draft an agreement, and have a special meeting for approval.

Motion made by Yellow Bull, seconded by Hopkins, to approve the private road contract for Kevin Sasse, for road work in the amount of \$78.00.

Bettelyoun also presented his 2021 budget and gave the Board updates on trucking and gravel.

Teresa Pullen, Treasurer, met with the board and presented her 2021 budget. Pullen noted the need to start processing tax deeds for properties with delinquent taxes and will bring back estimates on tax deed costs.

Susie Hayes, Director of Equalization, met with the board to discuss her 2021 budget and presented her COVID-19 Reassessment Protocol for the summer and fall of 2020. Hayes also advised of the need for a new discretionary formula resolution this year, as per House Bill 1259. Hayes will bring back a 0-20-40-60-80 industrial & commercial resolution, along with the agricultural discretionary formula resolution to the next meeting.

Takes the Shield joined the meeting at 2:15 p.m. and the meeting was turned back to her as chairwoman.

Linda Reidt Kilber and Kim McNemar, Behavior Management System, met with the board, (via phone), to present their 2021 budget request.

Joe Herman, Sheriff, met with the board (via phone) to present his 2021 budget, and to request the surplus of the Tahoe.

Motion made by Yellow Bull, seconded by White Hawk, to surplus the 2009 Black Tahoe, and ask for sealed bids.

Motion made by Yellow Bull, seconded by Hopkins, to authorize the continuation of current work by Deputy Scott Davis, not to exceed 100 hours per month.

Discussion was held on the work Deputy Davis has been doing with the livestock and branding issues. The Sheriff will be bringing recommendations to the Board on future partnering with the OST and BIA on range unit cattle processes.

Audrey Martinez, Coroner, met with the board, (via phone), to present her 2021 budget request. Discussion was also held additional COVID-19 needs, how the coroner and OST Public Safety work together on autopsies and blood draws, and recent issues.

Hopkins exited the meeting at 3:07 p.m.

Motion made by Yellow Bull, seconded by White Hawk, to approve the following resolution:

OGLALA LAKOTA COUNTY RESOLUTION #2020-05

Whereas, industrial hemp, a plant in the genus *Cannabis sativa*, played an important and significant role in the early history of the United States dating back to the 1600's when colonists began cultivating hemp to meet high demand for fiber and other important production materials; and,

Whereas, the widespread cultivation of *Cannabis sativa* continued until cultivation and possession of all varieties of *Cannabis sativa*, including industrial hemp, were outlawed in 1938 by the enactment of the federal Marijuana Tax Act; and,

Whereas, during World War II the United States Department of Agriculture distributed industrial hemp seed to farmers who were called upon to assist with the war efforts by producing industrial hemp materials to make uniforms, rope and canvas as well as important lubricating oils and fuels; and,

Whereas, an extensive variety of products can be made from industrial hemp fiber, seed, seed oils, cellulose and/or floral extracts and found in products such as paper, fabrics, auto parts, animal bedding, body care products and essential oils to name only a few; and,

Whereas, cannabidiol, or CBD, is a chemical compound of Cannabis sativa having no psychoactive effects, and is being evaluated for its role as a food additive or health supplement; and,

Whereas, increasingly credible scientific research indicates that nutraceuticals including cannabidiol extracts may have important medical uses and benefits with low to no risk of negative side effects for various ailments; and,

Whereas, cannabidiol has been known to assist patients in controlling epileptic seizures, reduce pain and inflammation and manage a variety of other ailments; and,

Whereas, the Oglala Sioux Tribe legalized industrial hemp in 1998; and

Whereas, studies and past efforts on several Indian reservations in the Great Plains have shown that hemp can be cultivated successfully in the Great Plains as a cash crop; and

Whereas, Under the 2018 United States farm bill, commodity hemp production was federally legalized; and

Whereas, There are 32 tribes with USDA-approved hemp plans, including the Oglala Sioux Tribe

BE IT RESOLVED that the duly elected commission of Oglala Lakota County supports the growing of industrial hemp, and the development of an industrial hemp industry, within Oglala Lakota County.

Dated this 8th day of July, 2020.

/s/Anna Takes the Shield, Chairwoman
Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje

Oglala Lakota County Auditor

Motion made by Yellow Bull, seconded by White Hawk, to approve the following resolution:

Oglala Lakota County Resolution Number 2020 – 07

Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019

and has currently been detected in more than 215 countries, areas or territories, including the United States; and,

Whereas, The World Health Organization has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and,

Whereas, More than two million persons have been infected, and more than 120,000 persons have died from being infected with COVID-19 within the United States; and

Whereas, The CDC has issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak; and,

Whereas, South Dakota Executive Order 2020-04 declared South Dakota to be in a State of Emergency due to the COVID-19 pandemic; and,

Whereas, Oglala Lakota County lacks sufficient hospital resources within the county to appropriately care for persons infected with the most serious cases of COVID-19; and

Whereas, the number of COVID-19 infections continues to grow within the borders of Oglala Lakota County; and

Whereas, Oglala Lakota County is completely within the boundaries of the Pine Ridge Indian Reservation; and

Whereas, The number of COVID-19 infections continues to grow in most parts of the United States; and

Whereas, Many vehicles licensed in areas of the United States where COVID-19 cases are rising have been spotted on the roads and highways of southwestern South Dakota and northwestern Nebraska; and

Whereas, The Oglala Sioux Tribe, recognizing the unique threat to the people of the Pine Ridge Indian Reservation, which includes all citizens of Oglala Lakota County, has taken steps to protect the residents and visitors within the common boundaries of the Pine Ridge Reservation and Oglala Lakota County, which includes establishing health and wellness checkpoints on certain roads entering the territory of Pine Ridge in order to detect possible infections and to minimize possible spread to the people of the Pine Ridge Indian Reservation; and

Whereas, As members of a community, South Dakotans join together in times of crisis to confront difficult times and help their neighbors:

BE IT RESOLVED that the duly elected commission of Oglala Lakota County supports the Oglala Sioux Tribe in the establishment of health and wellness checkpoints to protect the people residing within, as well as visitors to, the Pine Ridge Indian Reservation, which includes

the citizens of Oglala Lakota County, as a necessary step in the attempt to control the spread of COVID-19.

/s/Anna Takes the Shield, Chairman
Oglala Lakota County, South Dakota

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

Motion made by Yellow Bull, seconded by White Hawk, to approve the following resolution:

Oglala Lakota County Resolution Number 2020 – 06

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Oglala Lakota County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Oglala Lakota County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Oglala Lakota County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Oglala Lakota County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Oglala Lakota County most recently approved as of March 27, 2020; and

WHEREAS, Oglala Lakota County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Oglala Lakota County that the chairwoman/ of the Oglala Lakota County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further

RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

Approved and adopted this 8th day of July, 2020.

/s/Anna Takes the Shield, Chairman
Oglala Lakota County, South Dakota

ATTEST:

/s/Sue Ganje, Auditor
Oglala Lakota County, South Dakota

Motion made by Yellow Bull, seconded by White Hawk, to approve the Local Government Covid Recovery Fund Reimbursement Agreement between the Bureau of Finance and Management (State) and Oglala Lakota County, and to include a letter from the State's Attorney expressing the need for reimbursement of expenses due to the financial position of the county, in lieu of use of the State's discretion.

Motion made by Yellow Bull, seconded by White Hawk, to approve a moratorium on the selling of tax certificates until December 31, 2020, when the county will review the moratorium.

Motion made by Yellow Bull, seconded by White Hawk, to start the process to purchase a vehicle for the coroner.

Motion made by Yellow Bull, seconded by White Hawk, to table the VSO and Conservation budget until the next meeting or a special meeting if held.

Motion made by Yellow Bull, seconded by White Hawk to approve the bills as follows:

GENERAL FUND

AT&T MOBILITY

WIRELESS PHONE SHERIFF

\$53.78

AT&T TELECONFERENCE	TELECONFERENCE CALLS	\$90.55
BEAM INSURANCE ADMIN. LLC	DENTAL/VISION PLANS	\$125.14
CENTURY BUSINESS	COPIER LEASE/METER	\$25.58
DATASPEC LLC	SOFTWARE	\$449.00
TAKES THE SHIELD, ANNA	MILEAGE	\$53.76
DS SOLUTIONS INC	ELECTION SUPPLY	\$315.00
ELECTION SYSTEMS & SOFT	ELECTION SUPPLY	\$2,576.03
EFTPS	EFTPS PAYROLL TAXERS	\$3,304.85
EVERYTHING AUTOMOTIVE	SUPPLY	\$135.95
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$1,105.00
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$592.05
GOLDEN WEST	LOCAL PHONE/EMAIL LONG DISTANCE	\$315.97
LAKOTA TIMES	PUBLICATION	\$763.00
MARTINEZ, AUDREY	CORONER MILEAGE	\$157.92
MASTEL, BRUCE	WEB HOST/UPDATE/SERVER	\$35.00
MCLEOD'S OFFICE SUPPLY	ELECTION SUPPLY	\$49.57
MICROFILM IMAGING SYSTEMS	SCANNING EQUIPMENT LEASE	\$17.50
QUADIENT FINANCE USA, INC	POSTAGE	\$579.49
OGLALA SIOUX TRIBE	MONTH RENT FOR VETERAN'S SERVICE OFFICER	\$100.00
QUILL CORPORATION	SUPPLIES	\$471.80
RELIANCE STANDARD	LIFE INSURANCE	\$38.75
SD DEPT OF HEALTH LAB	TOXIC SCREEN	\$130.00
SECRETARY OF STATE	PISTOL PERMITS	\$44.00
SD DEPT OF REVENUE	AUTO/MI STATE REMITT	\$1,207.59
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,448.58
SUMMIT SIGNS & SUPPLY INC	SUPPLY	\$29.40
WHITE HAWK, EUGENIO	MILEAGE	\$75.60
YELLOW BULL, WENDELL	MILEAGE	\$53.76
BRAVE HEART, LORIE	PISTOL PERMIT REFUND	\$10.00
CLIFFORD, ERIC	PISTOL PERMIT REFUND	\$10.00
COMMISSIONER	JUNE SALARIES	\$1,350.00
ELECTION	JUNE SALARIES	\$2,456.00
ELECTION	OVERTIME	\$21.00
AUDITOR'S OFFICE	JUNE SALARIES	\$1,389.58
TREASURER'S OFFICE	JUNE SALARIES	\$2,779.16
TREASURER'S OFFICE	OVERTIME	\$128.00
STATE'S ATTORNEY'S OFFICE	JUNE SALARIES	\$2,583.33
REGISTER OF DEEDS OFFICE	JUNE SALARIES	\$1,389.58
VETERAN'S SERVICE OFFICE	JUNE SALARIES	\$1,291.67
SHERIFF	JUNE SALARIES	\$4,193.75
CORONER	JUNE SALARIES	\$750.00
	TOTAL FOR GENERAL FUND	\$32,696.69

COUNTY ROAD & BRIDGE

A & B WELDING SUPPLY	SUPPLY	\$312.64
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$84.85
BEAM INSURANCE ADMIN. LLC	DENTAL/VISION PLANS	\$340.10
BLUE CROSS/BLUE SHIELD	HEALTH INSURANCE PREMIUM	\$1,746.66
BUTLER MACHINERY CO.	EQUIPMENT/REPAIR	\$397.66
CULLIGAN	UTILITY/WATER DISPENSER	\$57.00
DIESEL MACHINERY, INC	SUPPLY	\$1,978.67
DWARE, INC.	SOFTWARE	\$3,050.00
EFTPS	EFTPS PAYROLL TAXERS	\$2,840.49
EVERYTHING AUTOMOTIVE	SUPPLY	\$261.96
CARDMEMBER SERVICE	CARDMEMBER SERVICES	\$316.99
G.F. BUCHE CO.	SUPPLY	\$95.72
GODFREY BRAKE SERVICE	SUPPLY	\$1,310.18
GREAT PLAINS COMMUNICATION	LOCAL PHONE & INTERNET	\$180.76
GREAT WESTERN TIRE INC.	SUPPLY	\$79.95
JOHN DEERE FINANCIAL	BOMGAARS CHARGES/SUPPLIES	\$52.15
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$231.39
W.D. LARSON COMPANIES	PARTS	\$229.38
MARTIN AUTO PARTS	PARTS/SUPPLY	\$802.39
MCI COMM SERVICE	LONG DISTANCE	\$48.85
QUILL CORPORATION	SUPPLIES	\$78.36
RELIANCE STANDARD	LIFE INSURANCE	\$98.50
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,182.02
WESTCO	FUEL/UTILITIES	\$79.41
HIGHWAY DEPARTMENT	JUNE SALARIES	\$12,059.27
HIGHWAY DEPARTMENT	OVERTIME	\$549.45
	TOTAL FOR COUNTY ROAD & BRIDGE	\$28,464.80
	TOTAL PAID BETWEEN 6/6/20 AND 7/8/20	\$61,161.49

No public comment was given. Motion made by Yellow Bull, seconded by White Hawk, to adjourn at 3:30 p.m.

/s/Anna Takes the Shield

Anna Takes the Shield, Chairwoman
Board of Oglala Lakota County
Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Oglala Lakota County Auditor