

**OGLALA LAKOTA COUNTY APPROVED MINUTES OF AUGUST 11, 2021**

The Oglala Lakota Board of County Commissioners met in regular session on August 11, 2021. Present: Ramon Bear Runner (via phone), Art Hopkins, Anna Takes the Shield (DuBray) (via phone), Eugenio White Hawk, Wendell Yellow Bull (via phone) and Sue Ganje, Auditor.

The Pledge of Allegiance was given, and meeting was called to order at 1:17 p.m. by Chairwoman Takes the Shield (DuBray). The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY ROLL CALL AND UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by White Hawk, seconded by Bear Runner, to approve the agenda as written.

Motion made by White Hawk, seconded by Bear Runner, to approve the July 21, 2021 minutes.

Motion made by White Hawk, seconded by Bear Runner, to approve the June Auditor's Account with the Treasurer as follows:

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 30th day of June 2021.

<b>Total Amount of Deposit in First Interstate Bank, HS:</b>	\$ 1,539,892.33
<b>Total Amount of Cash:</b>	\$ 1,327.60
<b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b>	\$ 2,420.12
<b>MONEY MARKET SAVINGS:</b>	
First Interstate, HS:	\$2,724,425.03
<b>CERTIFICATES OF DEPOSIT:</b>	
First Interstate, HS:	\$ 201,954.01
Black Hills Federal Credit Union, HS:	\$ 50,000.00
<b>Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:</b>	
Sheriff Change Fund:	\$ 200.00
Election Petty Cash:	\$ 15.00
<b>RETURNED CHECKS:</b>	
Titus, Casey	10/26/2020 \$ 75.00

**TOTAL \$ 4,520,309.09**

Dated This 30th Day of June 2021.

/s/Sue Ganje, County Auditor of Oglala Lakota County

/s/Teresa Pullen, County Treasurer of Oglala Lakota County

County Monies	\$ 4,335,331.47
Held for other Entities	\$ 138,965.10
Held in Trust	\$ 46,012.52
<b>TOTAL</b>	<b>\$ 4,520,309.09</b>

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 White Hawk, seconded by Bear Runner, to accept and place on file the July 2021 Veteran Service Officer report.

Motion made by Bear Runner, seconded by White Hawk, to approve advance travel for Jerlene Arredondo to attend the SDDVA Annual workshop and training, Pierre, August 16 through August 18, 2021.

Motion made by White Hawk, seconded by Bear Runner, to approve travel for Lynx Bettelyoun (Highway Superintendent), Kathy Timmins (Deputy Treasurer), Stacy Schmidt (Deputy Auditor) and all Commissioners to attend the 2021 County Convention, September 13 and September 14, 2021, Rapid City.

Motion made by Bear Runner, seconded by White Hawk, to approve the June 28, 2021 through July 27, 2021 sheriff fuel transfer to reimburse the highway for 202 gallons of fuel at \$2.865 per gallon, for a total of \$578.73.

Fuel bids were presented as follows:

	450-Gal Gasoline	1,800-Gal Ruby Diesel
Westco	\$2.835/gallon	\$2.675/gallon
Kadoka Oil	\$3.06/gallon	\$2.72/gallon
Pine Ridge Oil	No Bid	\$3.229/gallon

Motion made by Bear Runner, seconded by White Hawk, to approve the low bid from Westco for 450 gallons of unleaded gasoline at \$2.835 per gallon, for a total of \$1,275.75 and 1,800 gallons of #2 ruby diesel, at \$2.675 per gallon, for a total of \$4,815.00.

Joe Herman, Sheriff, met with the board. Motion made by Yellow Bull, seconded by White Hawk, to hire Audrey Martinez, at \$14.00 per hour, for 40 hours per week, to be an administrative assistant for the Highway Department and Sheriff's Office and advertise for a coroner. Martinez will continue as Coroner until new application received.

Discussion was held on additional money being put into an additional position with possible American Rescue Plan funds; this will be brought back at the next meeting.

Susie Hayes, Director of Equalization, met with the board. Motion made by Yellow Bull, seconded by Bear Runner to approve the following resolution:

**Oglala Lakota County Resolution No. 2021 – 08**  
**Discretionary Formula SDCL 10-6-137**

WHEREAS, the County of Oglala Lakota, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137:

  X   Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL § 11-8-4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(1));

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
- b. For the second tax year following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FUTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 11<sup>th</sup> day of August, 2021

Oglala Lakota County Commission  
/s/Anna Takes the Shield, Chairman

Attest:

/s/Sue Ganje, County Auditor

Motion made by Yellow Bull, seconded by Bear Runner, to approve travel for Frances Denison, 2021 Annual Assessor School, September 20 – September 24, 2021, Pierre, SD.

The hearing for those Fire Departments certified in 2020 (and 2021) by the State Fire Marshall for Fire Insurance monies was held, with the purpose of determining areas of primary response in the county. Will Smith, Batesland Fire Department, and Francis Big Crow, Kyle Fire Department, were present. Discussion was held on maps by the fire departments regarding the service areas that each department covers in the County, whether departments would apply for fire insurance funds in neighboring counties if certified in that county, and the state law that the county has to follow the distribution of fire insurance monies.

Motion made by Yellow Bull, seconded by White Hawk, to table the fire discussion to the next regular meeting in September to allow the Auditor to bring an opinion from Legislative Audit and the State's Attorney.

Teresa Pullen, Treasurer, met with the board. Motion made by Yellow Bull, seconded by Hopkins, to approve Pullen opening a new bank account at the Lakota Federal Credit Union in Kyle or the First National Bank in Lead, dependent on interest rates.

Lance Russell, State's Attorney, met with the board to discuss the amendments to Ordinance 2021-02, (reference Medical Cannabis). They will need to determine the number of dispensaries in the county (excluding the Town of Batesland), hours, fees and the number of feet between the dispensary and protected use areas such as schools, nonresident daycare facilities, public parks, pools, library, religious institutions, or residences. Motion made by Yellow Bull,

seconded by Hopkins, to approve setting a special meeting for the 1<sup>st</sup> reading of the revised Ordinance 2021-01 on August 30, 2021 at 1:00 p.m.

Takes the Shield exited the meeting at 2:56 p.m. and turned the meeting over to Vice-chairman White Hawk.

Russell, along with Lynn Two Bear, Legal Assistant, discussed the phone calls that have been made regarding creating a County Housing Authority. There are no similar authorities in Todd County. Discussion was held on Native American Housing, OST Housing and the 1937 Housing Act. Motion made by Yellow Bull, seconded by Hopkins, to table the Housing Authority discussion until the September meeting.

Sue Ganje, Auditor, met with the board to discuss the American Rescue Plan and the possibility of giving employees a bonus, as well as forms that will need to be filled out throughout the process. Ganje also reviewed the provisional budget for 2022.

Motion made by Yellow Bull, seconded by Hopkins, to approve the 2022 provisional budget.

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

**GENERAL FUND**

ARREDONDO, JERLENE	TRAVEL REIMBURSEMENT	\$335.60
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$54.08
AT&T TELECONFERENCE	CONFERENCE CALL	\$64.07
EFTPS	EFTPS PAYROLL TAXES	\$1,554.32
GOLDEN SEST	LOCAL PHONE/EMAIL/LONG DISTANCE	\$126.62
HOPKINS, ARTHUR L	MILEAGE	\$95.76
LAKOTA TIMES	PUBLICATION	\$179.20
OGLALA SIOUX TRIBE	MONTH RENT FOR VETERAN SERVICE OFFICER	\$100.00
PENNINGTON COUNTY JAIL	INMATE HOUSING	\$765.00
QUILL CORPORATION	SUPPLIES	\$94.25
RELIANCE STANDARD	LIFE INSURANCE	\$59.00
SECRETARY OF STATE	PISTOL PERMITS	\$49.00
OL COUNTY TREASURER	SALES TAX	\$10.18
SD STATE RETIREMENT	SD RETIREMENT SYSTEM	\$701.68
TREASURER - EXPENSES	OL TREASURER	\$60.20
WHITE HAWK, EUGENIO	MILEAGE	\$75.60
DAY BOY, MARLA	PISTOL PERMIT REFUND	\$10.00
COMMISSION	JULY SALARIES	\$1,325.00
STATE'S ATTORNEY'S OFFICE	JULY SALARIES	\$500.00
VETERAN'S SERVICE OFFICE	JULY SALARIES	\$1,291.67
SHERIFF	JULY SALARIES	\$4,010.56
CORONER	JULY SALARIES	\$625.00

	TOTAL FOR GENERAL FUND	\$12,086.79
<b>COUNTY ROAD &amp; BRIDGE</b>		
AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$85.71
BUTLER MACHINERY CO.	EQUIPMENT/REPAIR	\$5,999.99
PRODUCTIVITY PLUS ACCT	SERVICE/REPAIR	\$2,275.46
CULLIGAN	UTILITY	\$29.00
EFTPS	EFTPS PAYROLL TAXES	\$3,644.22
FERGUSON, KELLY	GRAVEL	\$34,000.00
GOLDEN WEST TECHNOLOGIES	SECURITY SUPPORT	\$1,807.50
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$201.77
MARTIN AUTO PARTS	PARTS/SUPPLY	\$299.48
MCI COMM SERVICE	LONG DISTANCE	\$53.14
MENARD'S	SUPPLIES	\$89.96
PACIFIC STEEL & SIDING	SUPPLIES	\$224.00
RELIANCE STANDARD	LIFE INSURANCE	\$131.50
OL COUNTY TREASURER	SALES TAX	\$3.12
SD STATE RETIREMENT	SD RETIREMENT SYSTEM	\$1,897.54
WESTCO	FUEL/UTILITIES	\$7,069.75
HIGHWAY DEPARTMENT	JULY SALARIES	\$13,936.39
HIGHWAY DEPARTMENT	OVERTIME	\$1,876.41
	TOTAL FOR COUNTY ROAD & BRIDGE	\$73,624.94
	TOTAL PAID BETWEEN 7/22/21 AND 8/11/21	\$85,711.73

No public comment was given. Motion made by Yellow Bull, seconded by Hopkins, to adjourn at 3:31 p.m.

/s/Anna Takes the Shield (DuBray)  
Anna Takes the Shield (DuBray)  
Board of Oglala Lakota County Commissioners

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