

OGLALA LAKOTA COUNTY APPROVED MINUTES OF AUGUST 10, 2022

The Oglala Lakota Board of County Commissioners met in regular session on August 10, 2022. Present: Art Hopkins, Eugenio White Hawk, Anna Takes the Shield (DuBray) (via phone) and Sue Ganje, Auditor. Ramon Bear Runner and Wendell Yellow Bull were absent.

The meeting was called to order at 1:15 p.m. by Chairman White Hawk and the pledge was given. The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Takes the Shield (DuBray), seconded by Hopkins, to approve the agenda as written.

Motion made by Takes the Shield (DuBray), seconded by Hopkins, to approve the minutes of July 13, 2022.

Motion made by Takes the Shield (DuBray), seconded by Hopkins, to approve changing the September meeting from September 14, 2022 to September 7, 2022, to allow for travel to Fall Convention.

Motion made by Takes the Shield (DuBray), seconded by Hopkins, to amend the minutes of May 31, 2022 to read June 10, 2022 instead of June 11, 2022.

Motion made by Takes the Shield (DuBray), seconded by Hopkins, to approve changing November 9, 2022 meeting to November 10, 2022, to allow for official Canvass of the 2022 General Election.

Wendell Yellow Bull joined the meeting at 1:27 p.m.

The supplement, contingency and cash transfer hearing was held. Motion made by Takes the Shield (DuBray), seconded by Hopkins, to approve the supplement, contingency and cash transfer. The motion was withdrawn.

Motion made by Hopkins, seconded by Takes the Shield (DuBray), to table the supplement and contingency resolution until Frank Maynard appears to get an explanation on his responses in Oglala Lakota County.

Julie Peterson, Business Manager, Live, Inc., met with the Board to present her 2023 Budget request.

Motion made by Yellow Bull, seconded by Hopkins, to table the Live, Inc. budget request until the name change could be made from Shannon County to Oglala Lakota County.

Lily Heidebrink, Director of Equalization, met with the Board. Motion made by Yellow Bull, seconded by Hopkins, to approve travel for Frances Denison, Deputy Director of Equalization, to attend the SDAAO School, September 18 through September 23, 2022, in Pierre, SD.

Takes the Shield (DuBray) exited the meeting at 1:49 p.m.

Teresa Pullen, Treasurer, reported to the Board that since their last meeting, there has been great response on tax deeds, with contact on 43 parcels and collecting \$8,000.00 on 9 parcels. So far Pullen has only gotten the word out in the Lakota Times, but will continue getting the word out in other ways.

Discussion was held on payment plans and not being able to waive interest. Pullen would like clarification on how to go forward with plans. Motion made by Hopkins, seconded by Yellow Bull to work with State's Attorney Russell on alleviating any amount of interest on past due taxes.

Jerlene Arredondo, Veteran's Service Officer, met with the Board via phone. Motion made by Yellow Bull, seconded by Hopkins, to approve travel for Arredondo to attend the SDDVA Annual Workshop/Training in Pierre, August 15, 2022 through August 17, 2022.

Arredondo has some concerns about the shelter building that houses her office and would like to meet with the Board there after training to discuss certain issues.

Reno Red Cloud joined the meeting at 2:28 p.m. via phone.

Motion made by Yellow Bull, seconded by Hopkins, to acknowledge the June and July VSO reports as presented.

Joe Herman, Sheriff, reported to the Board that Deputy Reno Blacksmith is waiting for an opportunity to enroll in the academy.

Commissioner Yellow Bull joined the meeting in person at 2:34 p.m.

Herman received an application from Scott Hix, but has not gotten any training with him yet. Herman is hopeful that Hix can get into the academy in the spring.

Motion made by Hopkins, seconded by Yellow Bull, to accept Sheriff Herman's recommendation and hire Vanessa Plume as a deputy, at \$19.60 per hour, effective immediately to be paid from ARPA funds.

Discussion was held on possible equipment purchases, finding grants to retain officers after ARPA funds are gone, policies, and staying out of a recent riot with tribal members.

Lynx Bettelyoun, Highway Superintendent, met with Board. Motion made by Hopkins, seconded by Yellow Bull, to approve the July 7 – July 31, 2022 sheriff fuel transfer to reimburse the highway for 198.6 gallons of fuel at \$4.732 per gallon, for a total of \$939.78.

Fuel quotes were presented as follows:

8/2/2022 Fuel Quotes	550-Gal Gasoline	2,000-Gal Diesel
Westco	\$4.215/gallon	\$4.569/gallon

Nelson's	No Bid	No Bid
Pine Ridge Oil	No Bid	No Bid
Discount Fuel	No Bid	No Bid

Motion made by Yellow Bull, seconded by Hopkins, to approve the low and only bid from Westco for 550 gallons of gasoline at \$4.215 per gallon, for a total of \$2,318.25 and 2,000 gallons of diesel, at \$4.569 per gallon, for a total of \$9,138.00.

Motion made by Hopkins, seconded by Yellow Bull, to approve hiring Blake Brobkorb, \$14.00 per hour, effective August 15, 2022, highway department, seasonal.

Bettelyoun reported that they have hauled gravel to County Roads #16, #2 and #4, replaced two culverts on #16, and bladed the Batesland Streets, #11, #4, #2, #9, #17, #16 and #7. The Highway Department reshaped #6, mowed #15, #11, #17, #15L, #16, #7, #16A, and did repairs on the 1995 Belly Dump Trailer, the 1996 Peterbilt Truck, the 2009 Kenworth Truck, the 2013 140 M2, the Batwing Mower and the 1989 Ford F-350.

Motion made by Yellow Bull, seconded by Hopkins, to acknowledge the highway department monthly report as presented.

Discussion was held on auto gates.

Motion made by Hopkins, seconded by Yellow Bull to approve the following resolution accepting Tribal Road BIA #17 and assign the road as a primary County Road #16:

OGLALA LAKOTA COUNTY RESOLUTION #2022-10

WHEREAS, Oglala Lakota County is wholly within the Boundaries of the Oglala Sioux Tribal Boundaries, and;

WHEREAS, Oglala Sioux Tribe approved resolution #21-256, acknowledging lack of funds to properly maintain gravel roads and;

WHEREAS, Oglala Sioux Tribe wishes for assistance from the Oglala Lakota County Highway Department on repair and maintenance on BIA #17 (known as the Five-Mile Corner), indicating specifically the four miles South to American Horse Creek; and

WHEREAS, Medicine Root District passed Resolution 21-01 requesting BIA #17 be repaired and maintained by the Oglala Lakota County Highway; and the Oglala Sioux Tribal Land and Natural Resources Committee met on November 29, 2021 and recommended Resolution #21-01 be presented to Tribal Council; and on December 1, 2021, the Oglala Sioux Tribal Council approved the assignment of four miles of BIA #17 to Oglala Lakota County, with the road starting from Five Mile Corner, South to American Horse Creek; and

NOW THEREFORE BE IT RESOLVED, that Oglala Lakota County accepts the assignment of BIA #17 and shall henceforth be included in and named County Road #16.

Dated this 10th day of August, 2022.

/s/Eugenio White Hawk, Chairman
Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje
Oglala Lakota County Auditor

Red Cloud exited the meeting via phone at 3:45 p.m.

A meal is still in the works for appreciation for the Highway employees.

Robert Pille with Rural Development Grants for water and sewer projects, reported to the Board that there is a need for \$420,025.00 for the Wounded Knee Seven Generations Waterline Replacement Project. The Board asked that Pille come to the next meeting to discuss the project further.

Frank Maynard, Emergency Management, reported to the Board that he helps Oglala Lakota County with the pre-disaster mitigation plan, fire departments, the local emergency operation plan with the tribe, safety benefits and other administrative paperwork as needed.

Motion made by Yellow Bull, seconded by Hopkins, to take off the table the supplement and contingency hearing.

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

OGLALA LAKOTA COUNTY RESOLUTION #2022-07
Supplemental Budget 2022, #1

WHEREAS, SDCL 7-21-22 provides that the Board of County Commissioners may adopt a supplemental budget, and whereas, as due and legal notice has been given, the following Supplements to expenditures and revenues for 2022 Budget be approved as follows:

Commissioners Salaries 10100X4110111, \$7,500.00; Commissioners FICA 10100X4120111 \$573.75; Weed Control 10100X4210615, \$770.96; ARPA Supply 29000X4260211, \$24,485.00; ARPA Supply 29000X4260311, \$5,820.90; Surface Transportation 20100R3340200, \$14,189.05; Prorate 20100R3350900, \$6,565.39; ARPA Funds 29000R3310900, \$1,376,858.00; Means of finance to be cash and cash for revenues received,

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners to adopt a Supplemental Budget #1.

Dated at Oglala Lakota County, South Dakota this 10th day of August 2022.

/s/Eugenio White Hawk
Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje

Oglala Lakota County Auditor's Office

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

**OGLALA LAKOTA COUNTY RESOLUTION # 2022 – 09
EMERGENCY DROUGHT DISASTER RESOLUTION**

WHEREAS, the vast majority of Oglala Lakota County has failed to receive adequate precipitation for the preceding twelve-month period, and

WHEREAS, the lack of precipitation over the past years has created a catastrophic state of drought, and

WHEREAS, the drought conditions have had an enormous effect on the production capabilities of the agricultural industry, which in turn severely affects the entire local economy, and

WHEREAS, the lack of consistent precipitation has resulted in the lack of rainwater runoff and therefore caused livestock ponds, dams, wells and natural water holes to dry up, and

WHEREAS, the grass, what there is of it, in the pastures in the county is bone dry, and quickly allows the start and spread of wildfires thus making containment almost impossible, and

WHEREAS, the local volunteer fire departments have almost depleted their resources in quelling wildfires, and

WHEREAS, the lack of dependable precipitation has resulted in record low subsoil moisture and has caused the water table to drop significantly,

NOW THEREFORE BE IT RESOLVED, that the Oglala Lakota County Commissioners declare that current drought conditions have created a natural disaster within Oglala Lakota County, and

BE IT FURTHER RESOLVED, that both farmers/ranchers and local businesses may be eligible for disaster aid grants and/or low interest Economic Injury Disaster loans from the Farm Services Agency and Small Business Administration Agency retroactive to January 1, 2022, and

BE IT FURTHER RESOLVED that the Board of County Commissioners for and on behalf of the citizens of Oglala Lakota County, request that the Governor of the State of South Dakota petition the Secretary of Agriculture to declare Oglala Lakota County a drought disaster area, and

BE IT FURTHER RESOLVED that an Emergency exists in Oglala Lakota County and this Resolution shall be in effect from and after its publication and this action is necessary for the preservation of the public peace, health and safety.

Dated this 10th day of August 2022

/s/Eugenio White Hawk, Chairman

Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje, Oglala Lakota County Auditor

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WHEREAS, Oglala Sioux Tribe approved resolution #21-256, acknowledging lack of funds to properly maintain gravel roads and;

WHEREAS, Oglala Sioux Tribe wishes for assistance from the Oglala Lakota County Highway Department on repair and maintenance on BIA #17 (known as the Five-Mile Corner), indicating specifically the four miles South to American Horse Creek; and

WHEREAS, Medicine Root District passed Resolution 21-01 requesting BIA #17 be repaired and maintained by the Oglala Lakota County Highway; and the Oglala Sioux Tribal Land and Natural Resources Committee met on November 29, 2021 and recommended Resolution #21-01 be presented to Tribal Council; and on December 1, 2021, the Oglala Sioux Tribal Council approved the assignment of four miles of BIA #17 to Oglala Lakota County, with the road starting from Five Mile Corner, South to American Horse Creek; and

NOW THEREFORE BE IT RESOLVED, that Oglala Lakota County accepts the assignment of BIA #17 and shall henceforth be included in and named County Road #16.

Dated this 10th day of August, 2022.

/s/Eugenio White Hawk, Chairman

Oglala Lakota County Board of Commissioners

ATTEST:

/s/Sue Ganje

Oglala Lakota County Auditor

Lance Russell, State's Attorney, met with the Board, to present his 2023 budget request.

Discussion was held on jurisdictional issues that will be easier in the future, how the lemon law works on new vehicles and drug use in Oglala Lakota County. Russell will get in touch with KILI radio to discuss the lemon law on vehicles, so the residents are aware. Further discussion was held on the Quaker Act and having horseback activities in Fall River County.

Discussion was held on the employee policy being too cold and micromanaging.

Sue Ganje, Auditor, met with the Board to review the provisional budget for 2023.

Motion made by Yellow Bull, seconded by Hopkins, to approve the 2023 provisional budget.

Motion made by Yellow Bull, seconded by Hopkins, to review the employee policy more at the next meeting in a working session.

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

GENERAL FUND

AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$129.81
AT&T TELECONFERENCE	TELECONFERENCE SERVICE	\$28.31
ARROWWOOD RESORT	HOTEL/ASSESSOR TRAINING	\$435.68
BAYMONT BY WYNDHAM PIERRE	SPRING CONFERENCE HOTEL	\$308.00
BEAR RUNNER, RAMON	MILEAGE	\$54.60
BEAM INSURANCE ADMIN. LLC	VISION PLAN	\$45.30
CENTURY BUSINESS	COPIER LEASE/METER	\$163.26
CENTURY BUSINESS	COPIER	\$4.99
DENISON, FRANCES	TRAVEL REIMBURSEMENT	\$114.00
TAKES THE SHIELD, ANNA	MILEAGE	\$41.16
ELECTION SYSTEMS & SOFT	ELECTION BALLOT LAYOUT	\$2,476.26
EFTPS	EFTPS PAYROLL TAXES	\$2,124.72
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$255.00
GOLDEN WEST	LOCAL PHONE/EMAIL/LONG DISTANCE	\$527.17
HOPKINS, ARTHUR L	MILEAGE	\$95.76
MARTINEZ, AUDREY	CORONER MILEAGE	\$118.02
MASTEL, BRUCE	WEB HOST/UPDATE/SERV	\$35.00
MASTERCARD	COUNTY CREDIT CARD	\$405.19
MEADE COUNTY AUDITOR	INMATE HOUSING	\$80.00
QUADIENT FINANCE USA, INC	POSTAGE	\$290.32
OGLALA SIOUX TRIBE	MONTH RENT FOR VET S	\$100.00
RELIANCE STANDARD	LIFE INSURANCE	\$59.00
SD ASSN OF COUNTY COMM.	2022 COUNTY CONVENTION	\$1,365.00
SDVSOA	2022 MEMBERSHIP & CONFERENCE	\$100.00
OL COUNTY TREASURER	SALES TAX	\$0.27
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,177.39
TREASURER - EXPENSES	TREASURERS OFFICE	\$10.00
WHITE HAWK, EUGENIO	MILEAGE	\$78.12
YELLOW BULL, WENDELL	MILEAGE	\$53.76
COMMISSIONERS	JULY SALARIES	\$1,375.00
STATE'S ATTORNEY'S OFFICE	JULY SALARIES	\$500.00
VETERAN'S SERVICE OFFICE	JULY SALARIES	\$3,189.33
SHERIFF	JULY SALARIES	\$4,357.23
CORONER	JULY SALARIES	\$625.00
	TOTAL FOR GENERAL FUND	\$20,722.65

COUNTY ROAD & BRIDGE

AT&T MOBILITY	WIRELESS PHONE SHERIFF	\$168.59
BEAM INSURANCE ADMIN. LLC	VISION PLAN	\$37.10
BLACK HILLS TRUCK	PART	\$154.32
BUTLER MACHINERY CO.	EQUIP/REPAIR	\$475.89
CULLIGAN	UTILITY	\$19.50
DELTA DENTAL OF SD	DENTAL PLAN	\$306.80
EFTPS	EFTPS PAYROLL TAXES	\$3,548.83
GODFREY BRAKE SERVICE	SUPPLY	\$910.87
GREAT PLAINS COMMUNICATION	LOCAL PHONE & INTERNET	\$219.36
GREAT WESTERN TIRE INC.	SUPPLY	\$726.56
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$260.18
W.D. LARSON COMPANIES	PARTS	\$369.41
MARTIN AUTO PARTS	PARTS/SUPPLY	\$82.51
MASTERCARD	COUNTY CREDIT CARD	\$2,549.09
MCI COMM SERVICE	LONG DISTANCE	\$53.70
MENARD'S	SUPPLY	\$137.74
PACIFIC STEEL & RECYCLING	SUPPLY	\$43.20
RAPID DELIVERY	DELIVERY	\$16.25
RELIANCE STANDARD	LIFE INSURANCE	\$94.75
SD STATE RETIREMENT	SDRS CONTRIBUTIONS	\$1,620.13
WESTCO	FUEL/UTILITIES	\$10,101.42
HIGHWAY DEPARTMENT	JULY SALARIES	\$14,391.12
HIGHWAY DEPARTMENT	OVERTIME	\$1,084.44
	TOTAL FOR COUNTY ROAD & BRIDGE	\$37,371.76
	TOTAL PAID BETWEEN 7/14/22 AND 8/10/22	\$58,094.41

Motion made by Yellow Bull, seconded by Hopkins, to adjourn at 4:48 p.m.

/s/Eugenio White Hawk
Eugenio White Hawk, Chairman
Board of Oglala Lakota County Commissioners

ATTEST:

/s/Sue Ganje

Sue Ganje, Oglala Lakota County Auditor