

OGLALA LAKOTA COUNTY UNAPPROVED MINUTES OF JANUARY 13, 2025

The Oglala Lakota Board of County Commissioners met in regular session on January 13, 2025. Present: Allyssa Comer, Art Hopkins, Wendell Yellow Bull and Sue Ganje, Auditor. Ramon Bear Runner and Anna Takes the Shield (Dubray) were absent.

The meeting was called to order at 1:11 p.m. by Chairwoman Comer. The agenda was reviewed for conflicts. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED.

Motion made by Yellow Bull, seconded by Hopkins, to approve the agenda adding the request for Opioid Settlement funding from Oglala Lakota Division of Behavioral Health and removing the request for Opioid Settlement funding from Accord Counseling and approval of the meeting minutes of December 30, 2024 because they are not complete.

The meeting was turned over to the Auditor.

Motion made by Yellow Bull, seconded by Hopkins, to nominate Allyssa Comer as Chairwoman and Anna Takes the Shield (Dubray) as Vice-Chairwoman.

Motion made by Yellow Bull, seconded by Hopkins, for nominations to cease.

Allyssa Comer is the Chairwoman for 2025. Anna Takes the Shield (Dubray) is the Vice-Chairwoman for 2025.

The meeting was turned over to Chairwoman Comer.

Motion made by Hopkins, seconded by Yellow Bull, to approve the first grouping on the agenda that includes: Designate the bulletin boards for legal notices as 3 feet of the east end of the bulletin board on the 1st floor, 1st floor outside door, ground floor outside door and the door that leads to the alley at the Courthouse, Pine Ridge and Kyle post offices; designate depositories for 2025 as First Interstate Bank and Schwab; set the 2025 indigent burial rate as \$1,000.00.

Anna Takes the Shield (Dubray) entered the meeting at 1:14.

Motion made by Yellow Bull, seconded by Hopkins, to move the 'not re-hiring, for 6 months, any employee who quits and withdraws their retirement, unless approved by the Commissioners' item until the policy has been finished and approved.

Motion made by Yellow Bull, seconded by Hopkins, to designate the second Thursday of each month as the meeting day and any additional dates as set by the Board.

Motion made by Yellow Bull, seconded by Hopkins, to approve the remainder of the second grouping on the agenda that include: Approve prisoner housing rate in Fall River County of \$105.00 and \$125.00 per day and the housing rate in Pennington County of \$105.00 and \$125.00 per day; approval of same day travel for officials and require approval for any overnight travel.

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to approve the third grouping on the agenda that includes: Appoint Lakota Times as the legal newspaper for 2025; approve the following resolution:

Bettelyoun, Lynx	Hwy Superintendent	\$60,391.80 per year
Black Bull, Daylon	Sheriff Deputy	\$25.75
Comer, Allyssa	Commissioner	\$600.00 a month plus \$50.00 per attended meeting
Ferguson, Doreen	Hwy Department	\$18.04 per hour
Ferguson, Kelly	Hwy Department	\$21.22 per hour
Hopkins, Arthur	Commissioner	\$600.00 a month plus \$50.00 per attended meeting
Martinez, Audrey	Hwy Secretary	\$17.48 per hour
Martinez, Audrey	Coroner	\$260.00 per call
Mesteth, Mark	Sheriff	\$57,720.00 per year
Takes The Shield (Dubray), Anna	Commissioner	\$600.00 a month plus \$50.00 per attended meeting
White Face, David	Hwy Department	\$25.53 per hour
Yellowbull, Wendell	Commissioner	\$600.00 a month plus \$50.00 per attended meeting

Paid out of the Victim's Assistance Fund

Boche, Carol	State's Attorney's Office	\$3,000.00 per year
Two Bear, Lynn	State's Attorney's Office	\$3,000.00 per year

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to approve the fourth grouping on the agenda that includes: Approval of the Election Fee resolution as follows:

OGLALA LAKOTA COUNTY RESOLUTION #2025-03

WHEREAS, pursuant to SDCL 12-15-11, the Board of County Commissioners at their first meeting shall set a fee for Election Board and the mileage rate;

NOW THEREFORE BE IT RESOLVED, that the Oglala Lakota County Board of Commissioners have set the fee for attendance of Election School at \$25.00; and

ALL ELECTION BOARDS WILL RECEIVE A FLAT FEE OF \$175.00; SUPERINTENDENTS OF EACH PRECINCT A FEE OF \$200.00; RESOLUTION, ABSENTEE, PROVISIONAL AND POST-ELECTION AUDITING BOARDS WILL BE SET AT \$13.50 PER HOUR, and

BE IT FURTHER RESOLVED, that the Oglala Lakota County Commissioners set the mileage rate at \$.67 per mile for the transporting of ballots and ballot boxes by the precinct superintendent.

Dated this 13th day of January, 2025

/S/ Allyssa Comer

Allyssa Comer, Chairwoman

Oglala Lakota County Board of Commissioners

ATTEST:

/S/ Sue Ganje

Sue Ganje

Oglala Lakota County Auditor

and the Wildland Fire Resources Resolution for 2025 as follows:

**Oglala Lakota County
RESOLUTION #2025-04**

WHEREAS, the South Dakota Wildland Fire Coordinator is authorized to assist in fighting range fires through the State; and

WHEREAS, a county must formally request his assistance pursuant to SDCL 41-20A-11; and

WHEREAS, because there is insufficient time to hold a meeting and adopt a resolution during a fire, Oglala Lakota County can designate a person (s) with authority to request assistance under this law;

NOW THEREFORE BE IT RESOLVED, that the Oglala Lakota County Commissioners hereby designate the following person (s) with the authority to request assistance from the State Wildland Fire Coordinator in fighting range fires:

Darwin Coy
EMERGENCY MANAGEMENT DIRECTOR
605 890-7245 (CELL) or 605 745-7562 (OFFICE)

Mark Mesteth
OGLALA LAKOTA COUNTY SHERIFF
605 891-5819 (CELL) or 605 745-5130 (OFFICE)

Allyssa Comer
COMMISSIONER
605 407-1839 (CELL)

Ramon Bear Runner
COMMISSIONER
605 441-5769 (CELL)

Anna Takes the Shield (Dubray)
COMMISSIONER
605 867-1743 (HOME) or 605 441-4996 (CELL)

Wendell Yellow Bull
COMMISSIONER
605 867-2263 (HOME) or 605 441-6405 (CELL)

Dated this 13th day of January, 2025

/S/ Allyssa Comer
Allyssa Comer, Chairman
Oglala Lakota Board of County Commissioners

ATTEST:
/S/ Sue Ganje
Sue Ganje, Auditor
Oglala Lakota Auditor's Office

Stacey Martin, GIS Coordinator, met with the Board to discuss ADA compliancy regarding the County website which will need to be compliant by April, 2027. She explained that items that get sent to the Auditor's office to be included on the agenda (ie. reports, fuel bids, requests for funding, etc.) be sent digitally, ideally in "Word" format, not scanned and sent as an attachment. This enables items to be added on the website be readable with a screen reader that is commonly used by visually impaired individuals. Martin is hoping that, by doing this, the County won't have to spend money on conversion programming. Yellow Bull asked if Martin could prepare a budget of what it may cost to do so and bring it back to the next meeting.

Motion made by Yellow Bull, seconded by Hopkins, to appoint Anna Takes the Shield (Dubray) to the Weed and Pest Board.

Lynx Bettelyoun, Highway Superintendent, met with the Board.

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to set the Private Road Work Hearing for February 13, 2025 at 1:30 p.m. as per SDCL 31-11-41 through 31-11-45.

Bettelyoun will bring back the amount per hour that he will be charging for Private Road Work, as created by his cost accounting records.

Bettelyoun presented the Highway monthly report. Hopkins questioned the report under mowing. Bettelyoun responded that, with the lack of snow, they have had the opportunity to mow County Road 8 which is a road that they seldom have time to mow the ditches. Hopkins then inquired about the safety of approaches to bridges as well as who is responsible for “Think, Why Die?” signs and what they represent. Bettelyoun will contact the DOT to find more out about bridge approaches. He then explained that the signs are for any fatality, not necessarily involving alcohol and that it is up to a family member of the decedent to decide if they want one placed. Lastly, Hopkins inquired about who is responsible for placing road identification signs. Bettelyoun replied that it depends on the road and what entity is responsible for its maintenance. The Board asked State’s Attorney Russell to draft a letter to the Custer County Commission asking for consideration of a name change of Squaw Creek Rd (aka Custer County Road 28) as it is a derogatory name.

Motion made by Yellow Bull, seconded by Takes the Shield (Dubray), to accept the Highway Department report.

Further discussion was held regarding the proposed land to build the new Highway Shop. Bettelyoun gave the suggestion of having Banner Engineering look at the land for feasibility. State’s Attorney Russell will get a contract sent to the potential landowner and report back at the next meeting. He will bring it back to the next meeting.

Jerlene Arredondo, Veteran Service Officer, met with the Board. She reported on her activity for the month. She stated that there are quite a few headstones that she will need to order in the coming months.

Motion made by Yellow Bull, seconded by Hopkins, to accept the VSO monthly report and place it on file.

Mark Mesteth, Sheriff, met with the Board to submit his monthly report and give updates. He has been looking through invoices and working on an inventory list. He stated that December was not very busy. He then reported that he can no longer run Triple I background checks on individuals applying for a Concealed Carry Permit through Fall River County’s dispatch. He has been in contact with the Tribe’s Department of Public Safety to see if the county could use their dispatch ORI to run the Triple I background checks. It has to be done on a secure system, it cannot be done by anyone but law enforcement. The Tribal DPS has been discussing it with their attorney and will get back to him then he will bring it to the State’s Attorney to look over. State’s Attorney Russell said that he will see what the issue is with running them through Fall River County’s Dispatch when he meets with the Fall River County Sheriff at their next meeting. Russell also suggested that Mesteth check with the school system, DCI or the Clerk of Courts to see if Oglala Lakota County can partner with them to run them. Mesteth also said that he intends to talk to IT for an approximate cost for an ORI to run the checks.

There was a lengthy discussion regarding the County's Medical Marijuana License Ordinance. There are no current licenses issued from the County. The discussion centered around a current facility near Batesland that is on deeded land, however they possess a Tribal license. Yellow Bull asked for a working session to discuss and possibly update the County's Ordinance in the future.

Motion made by Takes the Shield (Dubray), seconded by Yellow Bull, to accept the Sheriff's monthly report.

Genevieve Osborn, Jade Doering and Chandler Sutherland from Addiction Recovery Centers of the Black Hills, met with the Board to provide their request to receive County Opioid Settlement funds to aid in their efforts to help deal with the Opioid crisis. The Board asked questions regarding their organization and let them know that they would take their request into consideration and that they were not going to be taking any action at this meeting.

Break was taken at 2:20 p.m. The meeting resumed at 2:30 p.m.

Motion made by Yellow Bull, seconded by Takes the Shield, to approve Takes the Shield (Dubray), Comer, Hopkins and Yellow Bull to attend the Lakota Construction Summit in Box Elder on January 28, 2025, with overnight accommodations on January 27th only if there is inclement weather.

The Board took no action on employees' full-time status and prior temporary wage increases. They will look over the various actions presented to them from past meeting minutes and may take action in the future.

Motion made by Yellow Bull, seconded by Hopkins, to accept the compilation of meeting minutes for the above-mentioned item.

Edson Briggs was present via telephone. He is requesting a \$250.00/month payment plan for \$12,088.08 plus interest owed on past due property taxes.

Motion made by Yellow Bull, seconded by Hopkins, to approve putting Edson Briggs on a payment plan for past due property taxes.

Joseph Whiting was not present via telephone to discuss a payment plan for past due property taxes that are in the names of Lawrence and Martha Whiting.

Motion made by Yellow Bull, seconded by Hopkins, to bring Whiting's request back to the next meeting.

Takes the Shield (Dubray) left the meeting at 3:15 p.m.

Favian Kennedy, Oglala Lakota Division of Behavioral Health, was not present via telephone to discuss his organization's request for County Opioid Settlement funds.

Motion made by Yellow Bull, seconded by Hopkins, to move the request for Opioid Settlement funding from Oglala Lakota Division of Behavioral Health to the next meeting.

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

GENERAL FUND		
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ARREDONDO, JERLENE	MEETING MILEAGE	\$67.00
AUDRA HILL CONSULTING	MH	\$1,612.06
BEAR RUNNER, RAMON	MEETING MILEAGE	\$87.10
CENTURY BUSINESS	COPIER LEASE & FEES	\$147.63
TAKES THE SHIELD, ANNA	MEETING MILEAGE	\$67.00
ELECTION SYSTEMS & SOFT	MAINTENANCE & LICENS	\$1,589.37
FALL RIVER CO. SHERIFF	INMATE HOUSING	\$475.00
FIRST INTERSTATE BANK	FIRST INTERSTATE	\$25.00
HOPKINS, ARTHUR L	MEETING MILEAGE	\$142.04
MASTERCARD	COUNTY CREDIT CARD	\$2,357.56
PENNINGTON CO STATES ATTY	MENTAL ILL	\$34.00
PRAIRIE WIND CASINO	SDACO LOCAL MEETING	\$72.89
SD ASSN OF CO OFFICIALS	WEBSITE HOSTING	\$150.00
SD DEPT OF HEALTH	BLOOD ANALYSIS	\$40.00
BADLANDS CONSERVATION	COUNTY FUNDING	\$3,000.00
SD DEPT OF REVENUE	REMITTANCE	\$120.00
SOFTWARE SERVICES	SERVICES	\$1,800.00
THOMSON REUTERS - WEST	ST ATTY	\$326.34
WESTERN COMMUNICATIONS	RADIO PROGRAMMING	\$210.00
YELLOW BULL, WENDELL	MEETING MILEAGE	\$87.10
RED ELK, RUTH	LOST CHECK REPLACEMENT	\$185.18
COMER, ALLYSSA	MEETING MILEAGE	\$97.82
	TOTAL FOR GENERAL FUND	\$12,693.09
COUNTY ROAD & BRIDGE		
BUTLER MACHINERY CO.	EQUIP/REPAIR	\$211.32
CULLIGAN	UTILITY	\$34.75
HUSKER AUTO PARTS	SUPPLY/INVENTORY	\$115.54
LACREEK ELECTRIC ASSOC	UTILITY/ELECTRIC	\$671.67
MASTERCARD	COUNTY CREDIT CARD	\$1,259.18
OL COUNTY TREASURER	2024 BIG TEX TITLE FEES	\$26.70
WESTCO	FUEL/UTILITES	\$4,625.77
	TOTAL FOR COUNTY ROAD & BRIDGE	\$6,944.93
	TOTAL FOR BILLS PAID BETWEEN 12/31/2024 & 01-13-2025	\$19,638.02

Motion made by Yellow Bull, seconded by Hopkins, to adjourn the meeting at 3:35 p.m.

/s/Allyssa Comer
Allyssa Comer, Chairwoman
Board of Oglala Lakota County Commissioners

ATTEST:
/s/Sue Ganje
Sue Ganje

Oglala Lakota County Auditor