

## **GREGORY COUNTY COMMISSION PROCEEDINGS**

The regular meeting of the Gregory County Commission was held Tuesday, February 5, 2019 at 9:00 a.m. in Burke with the following members present: Bob Hausmann, Kelsea Sutton, Jessy Biggins, and Jeff Johnson. Members absent: Myron Johnson. Also present: Jim Waterbury, Auditor and Patti Connealy, Gregory Times Advocate. The meeting was opened and the pledge of allegiance was recited.

Vice-Chair Jeff Johnson conducted the meeting.

**Approval of Minutes:** Motion by Bob Hausmann, second by Kelsea Sutton to approve the minutes of the January 22, 2019 meeting as read. All members present voted aye. Motion carried.

**Rezone:** Dave Kotab is requesting to rezone 40 acres in an Ag district to R3 high density residential. Mr. Kotab explained that he would like to develop the 40 acres into 15 lots and a private road to go through the development. Comments against the project were heard from Dan Olson and Cara Hull. Concerns included soils sliding and the road. Dave VanderPol who would be doing the dirt work for the developer spoke via speaker phone. Mr. VanderPol explained that he has been doing dirt work for 40 years on projects and feels there will not be any issues with sliding soil.

Motion by Jessy Biggins, second by Bob Hausmann to approve the application of Dave Kotab to rezone the NW4SW4 in 13-95-66, Randall Township, Gregory County, from agricultural district to a R3 high density rural residential district. All members present voted aye. Motion carried.

**Adjourn:** Motion by Kelsea Sutton, second by Jessy Biggins to adjourn as a Board of Commissioners and convene as a Board of Adjustment. All members present voted aye. Motion carried.

**Variance:** Motion by Jessy Biggins, second by Bob Hausmann to approve a variance permit to have lots in an R3 district less than the minimum lot area of two and one-half acres in the NW4SW4 in 13-95-66, Randal Township, Gregory County, from Dave Kotab. Upon roll call vote: all members present voted aye. Motion carried.

**Conditional Use:** Philip and Theron Pense are requesting a conditional use permit for a bar in a platted town site residential district. The Penses state that they would like to offer retail liquor sales in Lots 3-10 incl., Block 6, Lucas Town, Gregory County. Many members of the community were present and raised concerns about danger to children, traffic problems and potential damages to property. Concerns were also raised about the condition of the building with no electricity and sewer. Motion by Kelsea Sutton, second by Bob Hausmann to deny the application for a conditional use permit because a bar is not a legal conditional use in an R4 Residential District, or alternatively because the business would not promote the public health, safety, welfare, morals, order, convenience, appearance, prosperity or general welfare. Upon roll call vote: All members present voted aye. Motioned carried.

**Adjourn:** Motion by Kelsea Sutton, second by Bob Hausmann to adjourn as a Board of Adjustment and re-convene as a Board of Commissioners. All members present voted aye. Motion carried.

**Amendment to Rezone:** Motion by Jessy Biggins, second by Kelsea Sutton to amend the rezone motion for Dave Kotab to also include: finding that the granting of the change in zone will be in harmony with the general purposes and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. All members present voted aye. Motion carried.

**Approval of Claims:** Motion by Jessy Biggins, second by Kelsea Sutton to approve the following claims. All member present voted aye. Motion carried.

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 as of January 31, 2019.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	3,477,844.92
Insufficient Fund Checks.....	\$	1,837.71
Cash Over.....	\$	122.06
TOTAL.....	\$	3,480,329.69

James Waterbury, Gregory County Auditor  
 County of Gregory        )  
   ) SS  
 State of South Dakota    )

Statement of fees collected in the Sheriff's Office for the month ending January 31, 2019 in the amount of \$560.00.

Statement of fees collected in the Clerk of Courts Office for the month ending December 31, 2018 in the amount of \$2,924.10.

Appeara	115.98	Hwy Supplies
Bartling Welding & Machine	46.81	Hwy Supplies
Dewayne Bennett	100.80	Travel
Bierschbach Equipment	146.28	Hwy Repairs
Jessy Biggins	30.24	Travel
Bonesteel Ambulance	1,500.00	2019 Allocation
Bonesteel Enterprise	65.00	Gun Notice
Burke Ambulance	1,500.00	2019 Allocation
Burke Building Center	14.99	Hwy Supplies
Burke City Finance Office	1,190.59	Utilities
Burke Gazette	614.52	Publishing
Burke Postmaster	1,006.70	Stamps
Casey Burrus	11.76	Travel
Butler Machinery	1,225.26	Hwy Repairs
Centurylink	228.57	911 Monthly Contract
Clean Sweep Distributing	388.00	Hwy Supplies
Connecting Point	332.50	Computer Maintenance
Country Pride Cooperative	4,220.13	Hwy Supplies
Dakota Senior Meals	4,000.00	2019 Allocation
Dallas Town	21.50	Hwy Utilities
Dean Schaefer Court Reporting	30.00	Mentally Ill
Dell Marketing L.P.	3,478.80	(3) Computers
Election Systems & Software	1,282.00	Election Maintenance
Engineering Innovation	125.61	Passport Supplies
Equipment Blades Inc.	1,393.45	Hwy Repairs

Executive Management	69.03	Email Fee, Computer Supplies
First National Bank Omaha	148.00	Dues
Frontier Motors	34,968.00	Sheriff Pickup
Galls, LLC	285.00	24/7 Supplies
GIS Workshop	5,150.00	Subscription
Golden West	1,164.99	Utilities
Graham Tire Mitchell	563.72	Repairs
Green's Grocery	24.73	Supplies
Gregory Library	350.00	2019 Allocations
Gregory County Conservation	15,000.00	Allocation
Gregory Building Center	73.35	Hwy Supplies
Gregory Ambulance	1,500.00	2019 Allocation
Gregory Co. Treasurer	3,274.86	Partial Payment
Gregory Times Advocate	257.11	Publishing
Grossenburg Implement	687.71	Hwy Repairs
H & J Sales	250.00	Repairs
Bob Hausmann	100.80	Travel
Horn Law Office L.L.C.	266.00	Court Appointed
Hughes Brothers 2	350.00	Repairs
John Jensen	236.17	Hwy Supplies
Jim's Garbage Service	170.00	Court House Utilities
Johnson Auto Repair	353.53	Sheriff Repairs
Jeff Johnson	20.16	Travel
Laura Kahler	77.47	Leg Tags/Travel
Kennebec Telephone Company	60.38	Utilities
Lewis & Clark Behavioral	165.00	Mentally Ill
Conrad Lunn	20.00	Hwy Repairs
Main Street Auto	643.64	Heater
Marshall& Swift/Boeckh, LLC	1,839.15	Subscription
Mathis Implement Trust	474.99	Hwy Repairs
McLeod's Printing	373.20	Township Supplies
Medtox Diagnostics INC	291.15	Supplies
Meyerink Farm Service	244.25	Hwy Repairs, Supplies
Microfilm Imaging Systems	240.00	Software Maintenance
Mr. Automotive	1,549.73	Sheriff/Hwy Repairs
Mulehead Gravel	133,161.52	Gravel Hauling
Nelson Machine & Welding	153.88	Hwy Supplies
Nikki Matucha	218.40	Travel
Office of Child & Family Ser.	1,303.00	Nurse Contract
Office Products Center	5,145.50	Office Supplies
Planning & Dev Dist. III	12,875.00	Membership
PryntComm	35.78	1099-Mis Forms
Purvis Electric	1,303.57	New Lights
RDO Equipment Co.	4,225.19	Hwy Repairs, Supplies
Rockmount Research & Alloys	1,114.92	Hwy Supplies
ROCS	4,500.00	2019 Allocation
Rosebud Auto	2,082.41	Hwy Repairs, Supplies
Rosebud Electric Cooperative	540.34	Utilities
Rosebud Farmers Union	4,234.50	Sheriff Repairs
Runnings	34.87	Batteries
S. Missouri Recycling & Waste	591.60	Solid Waste Rental
Sanford Home Medical Equipment	1,049.76	Jail Medical
SD Dept. Of Revenue	50,311.70	State Remittance
SD Public Health Lab	40.00	Courts

SD State Treasurer	230.36	Excise/Sales Tax
SDACO	100.00	Workshop
SDACOM & PRF	96.00	Monthly Collections
SDDMV	21.20	Sheriff Title & Plates
SDDMV	5,519.28	Hwy Prof., Supplies, Const.
SDML Workers Comp Fund	30,579.00	Workers Comp
Sig Sauer, Inc.	783.51	Ammo
State 4-H Office--Tags	52.50	Animal Tags
Sandy Steffen	1,159.77	Court Appointed
Stella's	420.25	Meals
Summit Contracting	1,365.00	Repairs
Thomson Reuters West	199.56	Subscription
Trevor's Tech	79.99	USB External Hard Drive
Tripp County Water User Dist.	26.00	Hwy Utilities
True Value Hardware-Burke	509.63	Supplies
Us Bank Voyager Fleet System	1,526.77	Vehicle Gas
Vander Haags, Inc.	494.66	Hwy Repairs, Supplies
Verizon Wireless, Bellevue	469.20	Utilities
Mona Weiger	258.40	Court
Wheelco	178.50	Solid Waste Repairs
Winner Health Mart Pharmacy	718.05	Jail Rx
Winner Police Department	8,085.00	Prisoner Housing
Winner Regional Healthcare	95.00	Court
WW Tire Service	2,267.70	Hwy Repairs

### January 2019 Payroll

(Listed by office)

Wellmark - \$19,238.00	SDRS - \$12,537.04
Aflac - \$774.03	SDSRP - \$50.00
Office of Child Support - garnishment - \$1590.00	1 <sup>st</sup> Fidelity Bank - 941 deposit - \$23,785.13
1 <sup>st</sup> Fidelity Bank ACH fee -\$25.00	
Commissioners - \$2968.35	Auditors - \$7,624.05
Treasurers - \$7,950.73	States Attorney - \$7,020.37
Courthouse - \$3,993.77	DOE - \$7,727.37
ROD - \$7,562.93	VA - \$672.81
Sheriff - \$22,322.26	Solid Waste - \$4,089.02
Nurses - \$3,633.80	Extension - \$3,194.41
Weed - \$899.53	Planning/ Zoning - \$781.90
Road and Bridge - \$65,820.67	EMD - \$1,561.10
24/7 Sobriety Testing - \$604.92	

**Travel:** Motion by Kelsea Sutton, second by Jessy Biggins to approve the following travel requests:

Kerri Grim	3/13 &14/19	New Officials Workshop @ Pierre
DeWayne Bennett & John Jensen	2/19-22/19	Annual Weed Conference @ Huron

All members present voted aye. Motion carried.

**Resignation:** Motion By Kelsea Sutton, second by Bob Hausmann to accept the resignation of Jeremiah Renken, Deputy Sheriff, effective February 9, 2019. All members present voted aye. Motion carried.

**Part-Time Deputy:** Motion by Bob Hausmann, second by Jessy Biggins to approve hiring Chelsea Biehl at \$17.50 per hour as a part-time deputy sheriff effective February 11, 2019. All members present voted aye. Motion carried.

**Tax Abatements:** Motion by Jessy Biggins, second by Kelsea Sutton to abate the taxes on the following properties as Gregory County took them by tax deed.

Lot 3, Block 9, Steven's Addition to Town of Bonesteel

2011	\$163.22	2016	\$215.86
2013	\$171.46	2017	\$245.32
2014	\$214.90	2018	\$275.14
2015	\$222.58		

Lot 5, Block 37, Original Town of Burke

2011	\$216.20	2015	\$226.24
2012	\$232.46	2016	\$221.68
2013	\$223.52	2017	\$208.84
2014	\$178.62	2018	\$261.80

Lot 6, Block 5, Gregory Heights Add'n, City Of Gregory

2011	\$322.58	2015	\$330.96
2012	\$179.90	2016	\$567.88
2013	\$551.56	2017	\$125.30
2014	\$243.80	2018	\$ 88.86

All members present voted aye. Motion carried.

**Quit Claim Deed:** Motion by Kelsea Sutton, second by Jessy Biggins to surplus and quit claim deed Lot 3, Block 9, Steven's Addition, Town of Bonesteel to the Town of Bonesteel. All members present voted aye. Motion carried.

**Quit Claim Deed:** Motion by Jessy Biggins, second by Bob Hausmann to surplus and quit claim deed Lot 5, Block 37, OT of Burke to the City of Burke. All members present voted aye. Motion carried.

**Surplus Property:** Motion by Bob Hausmann, second by Jessy Biggins to surplus and appraise the following property and to offer said for sale at public auction on March 5, 2019 at 10:00 a.m. in the commissioners room.

Legal Description	Appraised Value
Lot 6, Block 5, Gregory Heights Add'n, City of Gregory	\$2,500.00

All members present voted aye. Motion carried.

**Highway Superintendent Report:** Brad Ellwanger, Highway Superintendent, met with the Board to discuss various projects within the county.

**Resignation:** Motion by Kelsea Sutton, second by Jessy Biggins to accept the resignation of Daniel Claussen effective January 31, 2019. All members present voted aye. Motion carried.

**Employee:** Motion by Kelsea Sutton, second by Bob Hausmann to approve hiring Alan Peterson at \$15.40 per hour for the highway department effective February 11, 2019. Health insurance coverage will start March 1, 2019. All members present voted aye. Motion carried.

**Asphalt Bids:** Motion by Bob Hausmann, second by Kelsea Sutton to authorize the highway superintendent to advertise for approximately 6 miles of asphalt overlay. Bids will be opened on March 5, 2019 at 10:15 a.m. All members present voted aye. Motion carried.

**Part-Time Temporary Help:** Motion by Bob Hausmann, second by Kelsea Sutton to approve hiring Clara Waterbury at \$12.35 per hour effective February 11, 2019 as part-time temporary help to cover deputy leave in the auditor's office. All members present voted aye. Motion carried.

**Adjourn:** Motions by Jessy Biggins, second by Kelsea Sutton to adjourn. All members present voted aye. Motion carried.

ATTEST: \_\_\_\_\_  
James Waterbury, Gregory Co. Auditor

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Jeff Johnson, Vice-Chair