

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, September 18, 2019 at 9:00 a.m. in Burke with the following members present: Myron Johnson, Jeff Johnson, and Bob Hausmann. Members absent: Jessy Biggins and Kelsea Sutton. Also present: Julie Bartling, Auditor.

The meeting was opened and the Pledge of Allegiance was recited.

Approval of Agenda: Motion by Bob Hausmann, second by Jeff Johnson to approve the agenda with the following additions: The Chair will now call for Conflicts of Interest and Ex-Parte Communications from any Commission member. In addition, Pat Broome will meet with the Commission at 11:30 a.m. to discuss water issues. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Jeff Johnson, second by Bob Hausmann to approve the minutes of the September 3, 2019 meeting as read. All members present voted aye. Motion carried.

Conflicts of Interest: The Chair asked if there were any conflicts of interest from members present. None were notated.

Ex-Parte Communications: The Chair inquired if there has been any ex-parte communications by any member present. None were notated.

Casey Burrus, Planning & Zoning Director, presented the following plats for approval:

Plat Approval: Motion by Jeff Johnson, second by Bob Hausmann to approve the following plat:

APPROVAL-GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owner of the land herein platted as **LOT 11, SOESBE SUBDIVISION**, located in the N½ of the NW ¼ of Section 11, T 97 N, R 73 W of the 5th P.M., Gregory County, SD, having presented to the Gregory County Board of Commissioners the described plat, and that the platted lands lie within platting jurisdiction but outside the City Limits of Gregory, SD and that it appears that this plat meets all requirements of SDCL 11-3-8, NOW THEREFORE;

BE IT RESOLVED: that the plat be approved this 18th day of September, 2019.

Upon roll call vote: Jeff Johnson-aye; Jessy Biggins-absent; Kelsea Sutton-absent; Bob Hausmann-aye; Myron Johnson-aye. Resolution passed.

Plat Approval: Motion by Bob Hausmann, second by Jeff Johnson to approve the following plat:

RESOLUTION OF APPROVAL-GREGORY COUNTY BOARD OF COMMISSIONERS (SDCL 11-3-8)

WHEREAS: the attached **Plat of Lots 3 and 4, BARTLING SUBDIVISION**, a subdivision of Lot C, located in the NW ¼ of Section 9, T 96 N, R 71 W of the 5th P.M., Gregory County, SD, having been submitted by the owners to this Board for their consideration and approval, and it appears that all of the platted land is outside the boundaries of any municipality and that the survey and plat conform to all requirements of SDCL 11-3-8,

NOW THEREFORE: Be it resolved that said plat be approved this 18th of September, 2019.

Upon roll call vote: Jeff Johnson-aye; Jessy Biggins-absent; Kelsea Sutton-absent; Bob Hausmann-aye; Myron Johnson-aye. Resolution passed.

Plat Approval: Motion by Bob Hausmann, second by Jeff Johnson to approve the following plat:

APPROVAL-GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owners of the land herein platted as **LOTS 1, 2, 3, AND 4, JOHNSON SECOND SUBDIVISION**, Lots 1 and 2 are a subdivision of the NE ¼ and Lots 3 and 4 are a subdivision of the N ½ of the SE ¼ of Section 36, T 98 N, R 73 W of the 5th P.M. Gregory County, SD have presented to the Gregory County Board of Commissioners the described plat, and that the platted lands conform to all requirements of SDCL 11-3-8,

NOW THEREFORE, BE IT RESOLVED: that the plat be approved this 18th of September, 2019.

Upon roll call vote: Jeff Johnson-aye; Jessy Biggins-absent; Kelsea Sutton-absent; Bob Hausmann-aye; Myron Johnson-aye. Resolution passed.

Board of Adjustment: Motion by Bob Hausmann, second by Jeff Johnson to adjourn as a Board of County Commissioners and convene as a Board of Adjustment. All members present voted aye. Motion carried.

Casey Burrus, Planning & Zoning Director presented the following Variances:

Burman Variance: A variance to build a house on Lot 1 of McCance Second Subdivision, which is less than 40 acres, was presented on behalf of Taylor Burma. Motion by Jeff Johnson, second by Bob Hausmann to approve the variance request. All members present voted aye. Motion carried.

Bosch Variance: A setback variance of 45' to build an addition onto an existing shed in an Ag District closer than 150' on the West side of the road in the SE¼ of Section 18-96-71, Union Township was presented on behalf of Loren & Tracy Bosch. Motion by Bob Hausmann, second by Jeff Johnson to approve the variance request. All members present voted aye. Motion carried.

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

Travel Requests: Motion by Jeff Johnson, second by Bob Hausmann to approve the following travel requests:

Laura Kahler – Ag Safety Days Presentation – September 19th at Plankinton
Ag Safety Days Training – October 21st at Huron

Chelsea Biehl – Investigative Statement Analysis training – October 21-23 at Pierre

Darwin Grim – Advanced Search & Seizure Training – October 24 at Rapid City

All members present voted aye. Motion carried.

Disaster Declaration: Motion by Bob Hausmann, second by Jeff Johnson to offer the following Flood Disaster Declaration:

EXCESSIVE RAIN & FLOODING DISASTER DECLARATION

WHEREAS, heavy rains and flooding have once again devastated Gregory County; and,

WHEREAS, heavy rains received on September 10 and 11, 2019, continues to cause extensive damage to roads, bridges, dams, farm sites, and farm ground with flash flooding; and,

WHEREAS, damage of roads, bridges, dams, farm sites, and farm ground continues to add to the financial burden of the farmers and ranchers of Gregory County, and;

NOW THEREFORE, BE IT RESOLVED by the Gregory County Board of Commissioners to declare Gregory County a disaster area due to the excessive rain and flash flooding damage received on September 10 and 11, 2019,

BE IT FURTHER RESOLVED to urge the Gregory County FSA committee and the Governor of the State of South Dakota to take appropriate action to prohibit any further economic injury to Gregory County producers.

Dated this 18th day of September, 2019, at Burke, South Dakota.

Upon call for vote: Bob Hausmann-aye; Jeff Johnson-aye; Jessy Biggins-absent; Kelsea Sutton-absent; Myron Johnson-aye. Resolution passed.

Highway Department Report: Brad Ellwanger, Highway Superintendent, presented his report of road and bridge repair work underway throughout the county.

Whetstone Road (Williams Bottom) Discussion: Deb Herrmann met with Commissioners and Highway Superintendent to discuss the plans for relocating the stretch of C.R. 57 at Williams Bottom that was washed out throughout the many rains and flooding that has occurred this year.

Dirt, Gravel and Reclamation Project: Motion by Jeff Johnson, second by Bob Hausmann to authorize the Highway Superintendent to enter into an agreement with the SD Game, Fish & Parks Department for the extraction of gravel and reclamation of the gravel pit on SD GF & P's property described as: TR. D49 & E39, Section 16, T 97 N, R 68 W. The county will crush 100,000 tons of gravel and will remove said gravel on or before May 1, 2022. Reclamation shall be completed on or before August 1, 2022. All members present voted aye. Motion carried.

Employee Termination: Motion by Jeff Johnson, second by Bob Hausmann to terminate the employment of Justin Johnson effective August 25, 2019. All members present voted aye. Motion carried.

Annual Budget Hearing: The hearing for final adoption of the 2020 Gregory County budget was held at 10:00 a.m.

The Commission reviewed the Provisional Budget and agreed to the following department request:

Sheriff's Budget: \$393,767 (Increase of \$2,000 for equipment for vehicle)

Motion by Jeff Johnson, second by Bob Hausmann to approve the 2020 Gregory County Budget as published with the addition to the Sheriff's Department and to hold final adoption until October 1, 2019 pending estimates for Courthouse repairs and capital purchases that will need to be accumulated over a period of years. All members present voted aye. Motion carried.

Travel Request: Motion by Jeff Johnson, second by Bob Hausmann to approve the travel request of Brad Ellwanger to attend the Annual Local Roads Conference in Rapid City, SD on October 16-17, 2019. All members present voted aye. Motion carried.

Employee Raise: Motion by Jeff Johnson, second by Bob Hausmann to approve raising Hayden Hay's salary from \$15.00 to \$15.20, effective September 11, 2019, as he has completed his 6 months' probation period. All members present voted aye. Motion carried.

Water Issues: Pat Broome met with the Commission to discuss water backup in his basement due to heavy rains and the runoff of water due to plugged culverts under the county road on the west side of Burke City, and the dirt and sand that has accumulated along the city streets. The Highway Superintendent plans to do what he can to unplug the culverts to help water flow.

Adjourn: Motion by Jeff Johnson, second by Bob Hausmann to adjourn. All members present voted aye. Motion carried.

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Myron Johnson, Chair