

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, December 17, 2019 at 9:00 a.m. in Burke with the following members present: Myron Johnson, Jeff Johnson, Jessy Biggins, Kelsea Sutton and Bob Hausmann. Also, present: Julie Bartling, Auditor.

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

Approval of Agenda: Motion by Jessy Biggins, second by Bob Hausmann to approve the agenda as presented. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Jessy Biggins, second by Jeff Johnson to approve the minutes of December 3, 2019 meeting with the following correction: **Drainage Grants:** The correct entity to apply to for drainage grants is the South Central Water Development District. 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.

Public Input: No one appeared for public input.

Delinquent Tax List: Kathy Serr, Treasurer, met with the Commissioners to inform the Board that she published ALL delinquent taxes, rather than just current delinquent, due to tax program requirements.

Employee Resignation: Motion by Jeff Johnson, second by Kelsea Sutton to accept the resignation of Chad Peck from the employment of the Gregory County Highway Department effective December 17, 2019. All members present voted aye. Motion carried.

Plat Approval: The following plat was presented for approval: Plat of Lots A, B, C and D, Papousek Second Subdivision, located in the S ½ of the NW¼ of Section 29, T97N, R68W. Motion by Bob Hausmann, second by Jessy Biggins to offer the following resolution for approval:

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

WHEREAS: the owner of the land herein platted as **Lots A, B, C and D, PAPOUSEK SECOND SUBDIVISION**, located in the S ½ of the NW¼ of Section 29, Township 97 North, Range 68 West 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 do not lie within the platting jurisdiction of any municipality and that it appears that this plat conforms to all requirements of SDCL 11-3-8, NOW THEREFORE:
BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lot 3, Hoar First Subdivision, located in the NE¼ of the NW¼ of Section 33, T96N, R67W. Motion by Jessy Biggins, second by Kelsea Sutton to offer the following resolution for approval:

WHEREAS: the owner of the land herein platted as **LOT 3, HOAR FIRST SUBDIVISION**, located in the NE¼ of the NW¼ of Section 33, Township 96 North, Range 67 West of the 5th P.M., Gregory County, SD, have presented to the Gregory County Board of Commissioners the described plat, and that the platted land conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat is hereby approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lot 1, Hoar Second Subdivision, located in the SE¼ of Section 33, T96N, R67W. Motion by Jessy Biggins, second by Jeff Johnson to offer the following resolution for approval:

WHEREAS: : the owner of the land herein platted as **LOT 1, HOAR SECOND SUBDIVISION**, located in the SE¼ of Section 33, Township 96 North, Range 67 West of the 5th P.M., Gregory County, SD, have presented to the Gregory County Board of Commissioners the described plat, and that the platted land conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lot 1 and 4, a subdivision of a portion of Tract A, Mulehead Subdivision, located in the SE¼ of the NE¼ and the NE¼ of the SE¼ of Section 20, T97N, R68W. Motion by Kelsea Sutton, second by Bob Hausmann to offer the following resolution for approval:

APPROVAL – GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owners of all the lands herein platted as **Lots 1 and 4**, a subdivision of a portion of Tract A, Mulehead Subdivision, located in the SE¼ of the NE¼ and the NE¼ of the SE¼ Section 20, Township 97 North, Range 68 West of the 5th P.M., Gregory County, SD, have presented this plat to the Gregory County Board of Commissioners for their consideration and approval, and it appears that the platted land lies outside the plating jurisdiction of any municipality, and

WHEREAS: it appears that the plat conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lots 2 and 3, a subdivision of a portion of Tract B, Mulehead Subdivision, located in the SW¼ of the NW¼ and the NW¼ of the SW¼ of

Section 21, T97N, R68W. Motion by Jessy Biggins, second by Jeff Johnson to offer the following resolution for approval:

APPROVAL – GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owners of all the lands herein platted as **LOTS 2 AND 3**, a subdivision of a portion of Tract B, Mulehead Subdivision, located in the SW¼ of the NW¼ and the NW¼ of the SW¼ of Section 21, Township 97 North, Range 68 West of the 5th P.M., Gregory County, SD, have presented this plat to the Gregory County Board of Commissioners for their consideration and approval, and it appears that the platted land lies outside the plating jurisdiction of any municipality, and

WHEREAS: it appears that the plat conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lot 3, Berens First Subdivision, located in the NE¼ of the Section 22, T99N, R73W. Motion by Jessy Biggins, second by Jeff Johnson to offer the following resolution for approval:

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

WHEREAS: the co-personal representatives of the Estate of Kenneth A. Berens which is the owner of the land herein platted Plat as **LOT 3, BERENS FIRST SUDIVISION**, located in the NE¼ of the Section 22, Township 99 North, Range 73 West of the 5th P.M., Gregory County, SD, have presented this plat to the Gregory County Board of Commissioners for their consideration and approval, and it appears that the land lies outside the platting jurisdiction of any municipality, and

WHEREAS: it appears that the plat conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lots 1 through 7, Ziegler Subdivision and the private access road, a Subdivision of Lot 1, Olson Second Subdivision, located in the SE¼ of the Section 15, T95N, R66W. Motion by Kelsea Sutton, second by Bob Hausmann to offer the following resolution for approval:

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

WHEREAS: the owners of the land herein platted as **Lots 1 through 7, ZIEGLER SUBDIVISION, and the private access road**, a Subdivision of Lot 1, OLSON SECOND SUBDIVISION, located in the SE¼ of the Section 15, T95N, R66W of the 5th P.M., Gregory County, SD, have presented the to the Gregory County Board of Commissioners the described plat, and that the platted lands conforms to all requirements of SDCL 11-3-8,

NOW THEREFORE: BE IT RESOLVED: that the plat be approved this 17th day of December, 2019.

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

Plat Approval: The following plat was presented for approval: Plat of Lots 1 -16, River View Acres, in the NW¼ of the SW¼ of Section 13, T95N, R66W. Motion by Jessy Biggins, second by Kelsea Sutton to offer the following resolution for approval:

COUNTY COMMISSIONER'S RESOLUTION

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF GREGORY COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF GREGORY COUNTY, SOUTH DAKOTA, IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

Dated This 17th Day of December, 2019.

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

Employee Salary Change: Motion by Jeff Johnson, second by Bob Hausmann to raise Anton Jensen’s salary to \$15.20 per hour effective December 18, 2019 as he will have completed his 6 months probationary period. All members present voted aye. Motion carried.

Employee Salary Change: Motion by Jessy Biggins, second by Kelsea Sutton to raise Scott Drew’s salary to \$15.20 per hour effective January 1, 2020 as he will have completed his 6 months probationary period. All members present voted aye. Motion carried.

Bid Letting: The bid letting for county highway department needs for dust control, gravel hauling, diesel fuel, propane, and gravel as-needed was held at 10:00 a.m. as advertised.

Dust Control Bids:

Z & S Dust Control \$.96 per gallon

Motion by Jessy Biggins, second by Bob Hausmann to accept the bid of Z & S Dust Control. All members present voted aye. Motion carried.

Gravel Hauling Bids: The following gravel hauling bids were received:

<u>Bidder</u>	<u>1-15 mi. incl.</u>	<u>16-30 mi. incl.</u>	<u>31 mi & over</u>
Little Lou Trk. (Bailey)	\$.35	\$.30	\$.25
Little Lou Trk. (Standy)	\$.35	\$.30	\$.25
Flat Creek Const. (Bailey)	\$.31	\$.26	\$.23
Flat Creek Const. (Standy)	\$.31	\$.26	\$.23
Sinclair Sand & Gravel (Bailey)	\$.35	\$.28	\$.22
Sinclair Sand & Gravel (Standy)	\$.35	\$.28	\$.22
Mulehead Gravel (Bailey)	\$.30	\$.30	\$.25

Mulehead Gravel (Standy)	\$.35	\$.30	\$.25
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Motion by Kelsea Sutton, second by Jeff Johnson to accept all gravel hauling bids. All members present voted aye. Motion carried.

Diesel Fuel & Propane Bids: The following diesel fuel and propane bids were received:

<u>Bidder</u>	<u>Diesel Fuel</u>	<u>Propane</u>
CHS	\$0.015 profit margin	\$1.22 per gallon
Rosebud Farmers Union	\$0.025 profit margin	\$1.159 per gallon

Motion by Jessy Biggins, second by Jeff Johnson to accept all bids and to authorize the Highway Superintendent to purchase from the higher bidder if availability or service issues become apparent. All members present voted aye. Motion carried.

Gravel “As Needed” Bids: The following bids for the purchase of gravel on an “as needed basis” were received:

Mulehead Gravel

1½” crushed gravel w/royalty (Del to Landfill)	\$14.00 per ton
1” crushed gravel w/royalty	\$11.52 per ton
Stockpile at Marvin Schmitz corner	

Kory Standy

1” crushed gravel w/royalty	\$6.00 per ton
1½” screened gravel w/royalty	\$5.50 per ton
Stockpile at Standy Pit	

Opperman, Inc.

1½” crushed gravel w/royalty (Del To Landfill)	\$14.35 per ton
1½” crushed gravel w/royalty (Del to Gregory Airport)	\$14.85 per ton
1½” crushed gravel w/royalty (At Pit)	\$ 7.65 per ton
Stockpile at Summerville Pit	

Opperman, Inc.

1” crushed gravel w/royalty (Del to Landfill)	\$15.55 per ton
1” crushed gravel w/royalty (Del. To Gregory Airport)	\$16.00 per ton
1” crushed gravel w/royalty (At pit)	\$ 6.75 per ton
Stockpile at VanZee Pit	

Motion by Jessy Biggins, second by Kelsea Sutton to accept all bids. All members present voted aye. Motion carried.

Extension Office Part-Time Hire: Motion by Kelsea Sutton, second by Jeff Johnson to approve hiring Cody Williams as part time help in the Extension Office effective December 2, 2019 at a wage of \$10.00 per hour. All members present voted aye. Motion carried.

MOU Between SDSU Extension and Gregory County: Motion by Kelsea Sutton, second by Jessy Biggins to authorize the Commission Chair to sign the Memorandum of Understanding Between SDSU Extension and Gregory County for 2020. All members present voted aye. Motion carried.

SDPAA Insurance Contract Change: Motion by Kelsea Sutton, second by Jeff Johnson to authorize the Commission Chair to sign the amended Intergovernmental Contract with the South Dakota Public Assurance Alliance, which has changed its board members' election process. All members present voted aye. Motion carried.

Gravel Needs: Jerry Hutchison met with the Commission to discuss concerns as to why the county cannot buy gravel from the State of South Dakota out of the old Buryanek gravel pit area. The Commissioners explained the stipulations of Title VI, which is the document that was drafted when the CORPS of Engineers transferred title of the property along the Missouri River to the State of South Dakota. Title VI prohibits the sale of minerals, i.e. gravel, from the state lands. Mr. Hutchison stated that he continues to work on finding a loophole that might allow for the County to mine gravel on the property.

Courthouse Security Issue: The Board met with the Sheriff Department and States Attorney's office about Courthouse security needs.

Office Space Rental: Motion by Bob Hausmann, seconded by Jeff Johnson to offer temporary office space to the City of Burke for use by the City Chief of Police at a cost of \$150.00 per month. All members present voted aye. Motion carried.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Myron Johnson, Chair