

## GREGORY COUNTY COMMISSION PROCEEDINGS

### Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, May 5, 2020 at 9:00 a.m. in Burke with the following members present: Jeff Johnson, Myron Johnson, Jessy Biggins, Kelsea Sutton (via telephone), and Bob Hausmann. Also, present: Julie Bartling, Auditor; Tim Drey, Sheriff; and Kerri Grim, Register of Deeds.

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

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

**Approval of Minutes:** Motion by Myron Johnson, second by Bob Hausmann to approve the minutes of the April 21, 2020 and April 28, 2020 meetings 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.

**Public Input:** The Commission opened the floor for public input. The mayors of Gregory and Burke provided input for the Commissioners' consideration.

Scott Anshutz, Mayor of Gregory, commented on actions taken by the City of Gregory in regards to resolutions passed by the County and the City.

Tom Glover, Mayor of Burke, discussed that Burke will terminate their ordinance and would like to see one resolution or ordinance for all county residents. Burke agrees with what Gregory has done thus far.

**Malt Beverage License Renewals:** Motion by Jessy Biggins, second by Bob Hausmann to approve renewal of the following malt beverage licenses (on-off sale) under authority of the county: Jono's and Carlock Dance Hall. All members present voted aye. Motion carried.

**Abatement of Tax:** Motion by Myron Johnson, second by Jessy Biggins to approve the following abatement application:

Mobile Home on Pt. of Lots 15-18, Block 62 O.T. of Gregory (James Taylor)  
(Taxes Payable in 2017-2018-2019-2020) - \$226.67.

All members present voted aye. Motion carried.

**Second Reading of Ordinance 2020-01:** The Board opened up the hearing for the 2<sup>nd</sup> reading of Ordinance No. 2020-01 at 9:30 a.m. as advertised. Motion by Bob Hausmann, second by Kelsea Sutton to dismiss the 2<sup>nd</sup> reading of Gregory County Ordinance No 2020-01 and to revisit Gregory County Resolution No. 03-24-20. All members present voted aye. Motion carried.

**Gregory County Courthouse & Highway Dept. Office Openings:** Motion by Bob Hausmann, second by Myron Johnson to re-open the Courthouse and Highway Department Offices to the public effective May 11, 2020 with office hours to resume at normal work schedules. Each office may install protective

shields in their offices as they feel appropriate. The 6' social distancing must be adhered to by the public entering the buildings. All members present voted aye. Motion carried.

**Force Account Agreement #614967 Amended:** Motion by Jessy Biggins, second by Bob Hausmann to authorize the Chairperson to sign Amendment Number 1 to Joint Powers Force Account Agreement #614967 with the South Dakota Department of Transportation for ER Projects, changing the agreement date to 2020. All members present voted aye. Motion carried.

**Bridge Inspection Work:** Brad Ellwanger reported that Ultieg Engineers, Inc. will begin bridge inspections the week of May 11, 2020.

**Employee Raise:** Motion by Jessy Biggins, second by Myron Johnson to approve a \$.20 per hour raise to Scott Drews as he has completed the CDL requirement of his employment effective May 11, 2020. All members present voted aye. Motion carried.

**Employee Resignation:** Motion by Myron Johnson, second by Jessy Biggins to accept the resignation of Conrad Lunn from the Highway Department effective April 27, 2020. All members present voted aye. Motion carried.

**Employee Hire:** Motion by Jessy Biggins, second by Bob Hausmann to approve hiring Roderick Lewis at the Highway Department effective May 6, 2020 at \$15,00 per hour. All members present voted aye. Motion carried.

**Public Health Crisis Resolution:** Motion by Bob Hausmann, second by Kelsea Sutton to offer the following emergency resolution to address a public health crisis and the necessity to slow COVID-19 and to give guidance to municipalities, businesses and county residents during this unprecedented time of social distancing.

#### **Gregory County Resolution 5-5-2020**

### **AN EMERGENCY RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES THAT HAVE BEEN DEEMD NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19).**

WHEREAS, the Gregory County has the authority to pass ordinances and resolutions for the purpose of promoting the health, safety, morals, and general welfare of the community and the promotion of health and the suppression of disease;

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States;

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death;

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency

in response to the global pandemic of COVID-19;

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19;

WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota;

WHEREAS, there is evidence of community spread in multiple counties in South Dakota;

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19;

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission;

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the County's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

WHEREAS, Gregory County Resolution 3-24-2020 is rescinded as of the date of adoption of this Resolution 5-5-2020.

**NOW THEREFORE, BE IT RESOLVED** that the Gregory County Commission implements the following requirements of all citizens and businesses:

1. Practice proper hygiene.
2. Practice self-isolation.
3. Practice social distancing.
4. Recommend no gatherings of 10 or more people unless proper social distancing can be implemented.
5. Stay at home and contact your medical provider if you believe you have symptoms.
6. Limit trips to purchase essential items.
7. Limit the time spent purchasing essential items.
8. Stagger work schedules.
9. All County offices will be open to the public beginning Monday, May 11th. All City offices will be operated under guidance from their respective City.

10. Effective at 12:00 AM on May 6, 2020, all restaurants, food courts, coffee houses, bars, breweries, distilleries, wineries, clubs, cafes, and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, will be allowed to have on-site service operate at a maximum of 50% capacity for their establishment.
  - a. These businesses may continue to only provide take-out, delivery, curbside service, or drive-through service and are not mandated to open their business for on-sale service.
  - b. Any business choosing to provide on-sale service will implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of COVID-19. This will include appropriate sanitation measures for high-traffic areas, including restrooms.
  - c. All employees working at a business offering on-sale services who have direct contact with customers will wear a face mask.
  
11. Effective at 12:00 AM on May 6, 2020, all recreational facilities, public pools, and theaters, including indoor movie theaters and music or entertainment venues are directed to operate under guidance from their respective City.
  
12. Effective at 12:00 AM on May 6, 2020, outdoor movie theaters should operate in accordance with appropriate 6' social distancing guidelines in the concession area.
  
13. Effective at 12:00 AM on May 6, 2020, all hair salons, golf courses, video lottery casinos, and privately-owned gyms are directed to operate under the following conditions:
  - a. Hair Salons: Each cosmetologist will be six feet (6') apart. The cosmetologists will wear a facemask. Each cosmetologist will only serve one patron at a time. All salons will post the CDC and SD DOH guidelines regarding COVID-19 symptoms.
  - b. Golf Courses: While on the golf course, the following rules shall be observed:
    - The flags will be in place but secured so no one should touch the flag poles;
    - Groups will be limited to ten (10) persons per golf group.
    - Only one person per cart unless such persons live together.
    - All persons shall follow the six foot (6') social distancing rule while on the golf course.
  - c. Privately owned gyms: Privately-owned gyms will operate with allowing ten (10) or less persons in the gym at a time, including the instructors. All persons will be six feet (6') apart and gym equipment use will be minimized and limited to one-person use. All privately-owned gyms will post the CDC and SD DOH guidelines regarding COVID-19 symptoms.
  - d. Video lottery casinos: Video lottery casinos will operate with no more than ten (10) persons and such persons will be six (6) feet apart. Any video lottery machines that cannot be operated within the six-foot requirement will be disconnected as to comply with the CDC and SD DOH social distancing requirements.
  
14. Effective at 12:00 AM on May 6, 2020, all arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities are directed to operate under guidance from their respective City.
  
15. The prohibitions and closures in this order do not apply to the following businesses:

- a. Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of providing delivery, curbside, and drive-through found in paragraph #1.
- b. Room service in hotels.
- c. Banks that have closed their lobbies but are offering drive-through and off-site accommodations for services.
- d. Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.
- e. Crisis shelters, homeless shelters, soup kitchens, or other similar institutions.
- f. Airport concessionaires.
- g. Any emergency facilities necessary for the response to the current public health emergency or any other community emergency or disaster.

16. This resolution will remain in effect until such time as it is amended or repealed.

**BE IT FURTHER RESOLVED**, the Commissioners advise that Gregory County citizens are safer maintaining social distancing and following CDC and SD DOH guidelines regarding COVID-19. Residents of the Gregory County are strongly encouraged to follow all CDC and SD DOH guidelines regarding social distancing and preventative measures, including the following:

- a. Residents should limit visits to grocery and retail stores to once per week or use delivery services.
- b. Residents should participate in organized religious activities via remote options as available.
- c. When it is necessary for residents to visit grocery and/or retail stores, households should choose one designated shopper to do the shopping for the entire household in order to reduce the number of people in the store(s). Shoppers should remember to remain at least 6 feet away from others in the store.
- d. Whenever possible, residents should avoid taking any children under the age of fourteen (14) at home with them on any essential shopping trips.

**BE IT FURTHER RESOLVED**, that this resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of Gregory County and will become effective immediately upon passage.

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

**Funeral Expense Application:** Motion by Jessy Biggins, second by Bob Hausmann to approve an application for burial expense of an indigent county resident at \$2500.00. All members present voted aye. Motion carried.

**Approval of Claims:** Motion by Jessy Biggins, second by Bob Hausmann to approve the following claims:

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 March 31, 2020.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	4,450,808.06
Insufficient Fund Checks.....	\$	3,696.59
Cash Over.....	\$	(514.32)
TOTAL.....	\$	4,454,515.33

Julie Bartling, Gregory County Auditor  
 County of Gregory )  
 ) SS  
 State of South Dakota )

Statement of fees collected in the Register of Deeds Office for the month ending April 30, 2020 in the amount of \$4,441.55.

Statement of fees collected in the Sheriff's Office for the month ending April 30, 2020 in the amount of \$537.50.

Statement of fees collected in the Clerk of Courts Office for the month ending April 30, 2020 in the amount of \$6,934.80.

**April 2020 Payroll**  
 (Listed by office)

Wellmark-\$18,569.98	SDRS-\$12,929.88
AFLAC-\$906.36	SDSRP-\$100.00
1 <sup>st</sup> Fidelity Bank 941 Deposit-\$13,823.56	Ft. Randall Credit-\$100.00
Office of Child Support-\$1,440.00	First Fidelity ACH Fee \$25.00
Commissioners-\$3,167.50	Auditors-\$6,492.80
Treasurers-\$8,071.73	States Attorney-\$7,155.08
Courthouse-\$4,002.96	DOE-\$7,749.43
ROD-\$7,572.86	VA-\$686.27
Sheriff-\$22,460.68	Solid Waste-\$4,250.45
Nurses-\$3,635.87	Planning/Zoning-\$528.81
Road and Bridge-\$66,602.95	EMD-\$1,990.01
24/7 Sobriety Test-\$1,064.85	
Ace's Carwash	80.00 Sheriff's Tokens
American Stamp & Marking Pro	37.38 Badges
Appear	243.98 R&B Supplies
Avera Gregory Hospital	246.00 Courts
B&L Communication	365.95 Sheriff's Repairs
Be Creative Ad Services	55.00 Safer at Home
Bonesteel Enterprise	591.35 Publishing
Burke Building Center	78.14 R&B Supplies
Burke City Finance Office	1,030.95 Courthouse/R&B Utilities
Burke Gazette	592.12 Publishing
Burke Postmaster	23.00 Elections
True Value Hardware-Burke	259.79 Supplies
Butler Machinery	4,623.96 R&B Repairs & Supplies
CenturyLink	228.57 911 Contract

CHS Winner	13,860.42	R&B Supplies
Community Memorial Hospital	340.00	Courts
Dakota Auto Care	4,41.55	Sheriff's Repair
Dallas Town	35.00	R&B Utilities
Diamond Mowers	373.48	R&B Repairs
Election Systems & Software	38.15	Election Supplies
Evergreen Office Solutions	33.00	States Atty
Executive Management	35.00	Auditor Connect Fee
First National Bank Omaha	565.71	Supplies
Floyd's Truck Center	277.30	R&B Repairs
Fox & Youngberg, Pc	197.32	Mentally Ill
Frontier Motors	52.00	Sheriff's Repairs
Galls, LLC	129.00	Sheriff's Supplies
Golden West	1,220.10	Utilities
Green's Grocery	16.96	Inv #60109,63032
Gregory Building Center	33.47	R&B Supplies
Gregory Co. Treasurer	2,943.77	Partial Payment
Gregory Times Advocate	898.15	Publishing
Gregory Co. Historical Society	1,000.00	Historical Sites
Gregory Co Clerk of Courts	50.00	Partial Payment
Grossenburg Implement	316.84	R&B Repairs
Hein Law Office	2,105.70	Court Appointed
Interstate Battery System	384.85	R&B Repairs
Jim's Garbage Service	170.00	Monthly Utility Fee
Kimball Midwest	711.95	R&B Supplies
Kotrba-Smith Funeral Home	2,500.00	Poor Relief
Kotrba-Smith Funeral Home	700.00	Coroner
Lewis & Clark Behavioral	178.00	Mentally Ill
Main Street Auto	881.36	R&B Supplies & Repairs
Marco	39.57	Printer Supplies
McLeod's Printing	921.53	Election Supplies
Medtox Diagnostics Inc	294.65	24/7 Supplies
Meyerink Farm Service	5,664.88	R&B Repairs
Microfilm Imaging Systems	244.50	Rod Rental
Mr. Automotive	185.33	Sheriff's Repairs
Mulehead Gravel	2,360.10	R&B Supplies
NACVSO	60.00	VA 2020 Membership
Nationwide Chemical Products	984.70	R&B Supplies
Office of Child & Family Ser.	1,335.52	Nurse's Dues
Office Products Center	523.22	Supplies
Pcs Mobile	3,908.34	Sheriff's Computer
Pennington Co. Jail	74.73	Jail Travel
Purvis Electric	510.59	R&B Supplies
RDO Equipment Co.	1,350.07	R&B Repairs
Redwood Toxicology Laboratory	141.68	24/7 Labs
Rosebud Auto	2,542.38	R&B Repairs & Supplies
Rosebud Electric Cooperative	284.64	911 & R&B Utilities
Rosebud Farmers Union	4,099.75	R&B Utilities, Repairs
Runnings	109.99	R&B Supplies
S. Missouri Recycling & Waste	1,486.54	Solid Waste Rental
SD State Treasurer	103.80	Land Fill Sales Tax
SD Dept. Of Transportation	63.98	R&B Professional Service
Severson Service	275.00	Solid Waste Repairs
Sandy J Steffen Law Office	600.95	Court Appointed
Tripp County Water User Dist.	21.68	R&B Utilities

Ulteig	3,178.00	R&B Professional Service
Verizon Wireless, Bellevue	428.35	Utilities
Mona Weiger	1,421.40	Court Transcript
Winner Police Department	2,527.20	Jail Housing
Winner Health Mart Pharmacy	8.97	Jail Rx
Yankton Co. Sheriff's Office	50.00	Mentally Ill

All members present voted aye. Motion carried.

**Adjourn:** Motion by Jessy Biggins, second by Myron Johnson to adjourn. All members present voted aye. Motion carried.

ATTEST: \_\_\_\_\_  
Julie Bartling, Gregory Co. Auditor

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Jeff Johnson, Chair