

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, October 6, 2020, at 9:00 a.m. in Burke with the following members present: Jeff Johnson, Myron Johnson, Jessy Biggins, Kelsea Sutton (via Zoom) and Bob Hausmann. Also present: Julie Bartling, Gregory County Auditor.

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

Approval of Agenda: Motion by Jessy Biggins, second by Myron Johnson to approve the agenda with the following additions:

9:15 a.m. Rachele Norberg – ROD filing concerns
Adopt 5-year Road Plan
Discuss Hazard Mitigation Projects for 2021
FEMA Budget Supplements

All members present voted aye. Motion carried.

Approval of Minutes: Motion by Bob Hausmann, second by Myron Johnson to approve the minutes of the following meetings as read:

September 16, 2020 Regular Meeting
September 24, 2020 Special Meeting for bid letting
September 28, 2020 5-Year Road Plan Public Meeting
September 29, 2020 Special Meeting for acceptance of bids

All members present voted aye. Motion carried.

Conflicts of Interest: The Chair asked if there were any conflicts of interest from members present. Commissioner Bob Hausmann stated that he has a conflict with the Jensen Conditional Use Permit application that will be discussed as a Board of Adjustment. No other conflicts were noted.

Ex-Parte Communications: The Chair inquired if there have been any ex-parte communications by any member present. Commissioners Kelsea Sutton and Myron Johnson disclosed that they visited the Jensen Conditional Use Permit site with the Bakers to get a perspective on their concerns. No other communications were noted.

Public Input: The Commission opened the floor for public input. No one appeared before the Commission.

5-Year County Highway and Bridge Improvement Plan: Motion by Jessy Biggins, second by Bob Hausmann to approve the 2021 through 2025 Five-year County Highway and Bridge Improvement Plan as presented at the September 28, 2020 public meeting. The Commission also noted the following Annual Update of the Project List for 2020:

<u>Project Location</u>	<u>Project Description</u>	<u>Year</u>	<u>Status</u>
38475-341 st Ave	CULVERT, BAND, SLURRY	2020	WEATHER
#27-030-081 Dixon Bridge	STRUCTURE AND APPROACH	2020	LACK OF EASEMENT
#27-169-280 Herrick Bridge	STRUCTURE AND APPROACH	2020	LACK OF FUNDS

Budget Supplements: Motion by Myron Johnson, second by Bob Hausmann to supplement the Road and Bridge budget as follows:

State of South Dakota - \$92,327.59
State of South Dakota - \$83,487.67

These funds are FEMA/State of SD reimbursements for expenses the County has paid for March 2019 Blizzard-Flood and July 2019 Flood disasters. All members present voted aye. Motion carried.

2021 Pre-Disaster Mitigation Projects: Motion by Jessy Biggins, second by Kelsea Sutton to approve the following:

**Gregory County
Pre-Disaster Mitigation Projects**

Natural Hazards

Drought
Flooding
Hail
Landslides
Severe Wind
Severe Winter Weather
Tornado
Wildfire

Other Projects

StormReady Program
Firewise USA Program
Courthouse Generator

All members present voted aye. Motion carried.

Recording of Documents: Rachelle Norberg of Gregory County Abstract Company and Claire Marshall of Rosebud Title Company (via Zoom), met with the Commission to convey their concerns over the inability to have deeds and other important documents recorded in the Register of Deeds office while the Official is absent for personal matters. The Commissioners will meet with the Register of Deeds at the next meeting to discuss the need for the staff to adequately fulfill the required duties of the office.

Approval of Claims: Motion by Jessy Biggins, second by Myron Johnson 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 September 30, 2020.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	2,848,327.32
Insufficient Fund Checks.....	\$	172.52
Cash Over.....	\$	2,467.77
TOTAL.....	\$	2,851,492.61

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 September 30, 2020 in the amount of \$5409.05.

Statement of fees collected in the Sheriff's Office for the month ending September 30, 2020 in the amount of \$932.50.

September 2020 Payroll

(Listed by office)

Wellmark-\$19,299.62	SDRS-\$12,596.82
AFLAC-\$861.91	SDSRP-\$100.00
1 st Fidelity Bank 941 Deposit-\$25,158.49	Ft. Randall Credit-\$100.00
Office of Child Support-\$1,234.00	First Fidelity ACH Fee \$25.00
AAA Collectins-416.50	First National Bank-\$65.53
Commissioners-\$3,109.07	Auditors-\$6,633.07
Treasurers-\$7,917.43	States Attorney-\$7,155.08
Courthouse-\$4,092.87	DOE-\$8,304.17
ROD-\$7,892.97	VA-\$686.27
Sheriff-\$23,894.55	Solid Waste-\$2,972.87
Nurses-\$3,725.80	4-H/Youth-\$2,958.83
Weed-\$2,142.61	Planning/Zoning-\$741.05
Road and Bridge-\$59,560.31	EMD-\$1,592.00
24/7 Sobriety Test-\$1,004.83	

Ainsworth Motor, Inc.	4,035.00	Sheriff Supplies
Appeara	235.30	R&B Supplies
Avera Gregory Hospital	495.00	Courts
Axon Enterprise, Inc	1,356.75	Sheriff Supplies
B & J Carpentry	60.00	Courthouse Maintenance
Bartling Welding & Machine	12,399.10	Courthouse Fire Escape
Best Western Plus Ramkota	399.96	County Travel
Bonesteel Enterprise	590.86	Publishing
Bonesteel Fire Department	7,213.00	Fire Protection
Bonesteel Fire Department	1,525.73	Fire Ins. Tax Distribution
Burke Body Shop	53.25	R&B Repair
Burke Building Center	362.95	Supplies
Burke City Finance Office	1,957.72	Courthouse Utilities
Burke Fire Dept.	8,319.00	Fire Protection
Burke Fire Dept.	3,487.39	Fire Ins. Tax Distribution
Burke Gazette	1,621.61	Publishing
Burke One Stop	24.02	Sheriff Supplies
True Value Hardware-Burke	345.79	Courthouse Supplies
Butler Machinery	2,324.74	R&B Repairs
Central Distribution	921.36	Covid Care
CenturyLink	228.57	911 Contract
CHS-Mitchell	19,404.07	R&B Supplies
Community Memorial Hospital	510.00	Jail Medical
Connecting Point	260.00	Auditor Software Update
Dallas Fire Dept.	5,373.00	Fire Protection
Dallas Fire Dept.	762.87	Fire Ins. Tax Distribution
Dallas Town	27.00	R&B Utilities
Danielson Tech Supply	143.10	R&B Supplies
Election Systems & Software	1,690.11	Election Supplies
Equipment Blades Inc.	10,785.00	R&B Repairs
Evergreen Office Solutions	66.00	States Atty User Charge
Executive Management	73.00	Auditor Charge
Fairfax Fire Department	5,373.00	Fire Protection
Fairfax Fire Department	980.83	Fire Ins. Tax Distribution
First National Bank Omaha	525.25	Supplies
Floyd's Truck Center	175.71	R&B Repairs
Galls, LLC	451.93	24/7 Supplies
Golden West	2,464.21	Utilities

Graham Tire Mitchell	694.48	Sheriff Repair
Green's Grocery	56.17	Courthouse Supplies
Gregory Co. Treasurer	8,943.43	Partial Payment
Gregory Fire Department	8,722.00	Fire Protection
Gregory Fire Department	4,141.27	Fire Ins. Tax Distribution
Gregory Times Advocate	1,146.92	Publishing
Gunvordahl Gunvordahl & Norberg	194.00	Mentally Ill
H & J Sales	250.00	Towing
Hein Law Office	276.75	Court Appointed
Interstate Battery System	120.95	R&B Repairs
Jim's Garbage Service	340.00	Monthly Utilities
Joel Sinclair LLC	33,252.16	Gravel Hauling
Johnson Auto Repair	81.75	R&B Repairs
Jones Salvage LLC	25.00	R&B Repairs
Laura Kahler	371.72	4-H Travel/On Line Course
Kennebec Telephone Company	47.34	911 Contract
Konrad Law, Prof. LLC	1,939.85	Court Appointed
Lyle Sign Inc.	470.00	R&B Supplies
Main Street Auto	764.71	R&B Repairs & Supplies
Marco	17.51	Copier
Mark Jacobsen	100.00	Trailer Rent
Nikki Matucha	23.94	DOE Travel
Matucha Trucking	38,661.50	Gravel Hauling
McLeod's Printing	831.62	Supplies
Medtox Diagnostics Inc	300.83	24/7 Supplies
Meyerink Farm Service	363.09	R&B Repairs & Supplies
Microfilm Imaging Systems	649.00	Rod Monthly Rental
Midstates Group	73.28	2020 Tax Forms
Mr. Automotive	478.38	R&B Supplies
Nelson Machine & Welding	188.62	Repairs
Office of Child & Family	1,335.52	4th Qtr. Contract 2020
Office Products Center	2,521.21	Supplies
Pahlke Law Office	104.50	Pro-Tem
Pheasantland Industries	4,352.68	Balance On 4 Work Stations
Prestige Chemicals	339.50	Weed Repair
Process One	8.58	4-H Supplies
Purchase Power	161.48	Postage
Redwood Toxicology Laboratory	198.83	24/7 Supplies
Rosebud Auto	987.86	Weed Repair
Rosebud Electric Cooperative	215.04	EMD Utilities
Rosebud Farmers Union	12,144.40	Supplies
Runnings	363.72	Supplies
S. Missouri Recycling & Waste	552.10	Rental Contract
Sandhill Equipment Inc	48.75	R&B Repairs & Supplies
Schreiber Law Firm Prof LLC	243.70	Court Appointed
SD Dept. of Revenue	107,735.16	State Remittance
SD Public Health Lab	325.00	Courts
SD Asso. of County Commission	2,168.00	CLERP Fund
SDACOM & PRF	180.00	Rod Monthly Collections
SD Dept. of Transportation	3,554.54	R&B Supplies
Spencer Quarries/Comm Asphalt	68,377.76	R&B Supplies
Sandy J Steffen Law Office	2,930.10	Court Appointed
Taylor Plumbing	152.22	Court House Repairs
Titan Machinery-Sioux Falls	2,602.60	R&B Repairs
Tri-State Turf	261.61	Courthouse Repair
Tripp County Water User Dist.	26.00	R&B Utilities
Ulteig	83,788.97	R&B Professional
US Bank Voyager Fleet System	1,182.07	Sheriff, EMD Supplies
Mona Weiger	61.20	Courts
Wellmark	804.17	Missed Premium
Wheelco	776.07	R&B Repairs

Winner Family Dentistry	210.00	Jail Medical
Winner Police Department	6,515.00	Jail Housing
Winner Health Mart Pharmacy	17.94	Jail Medical
WW Tire Service	2,223.60	R&B Repairs
Wyatt Reis	200.00	Pickup 4 Work Stations

All members present voted aye. Motion carried.

Extension Office Equipment Purchase: Ashley Meyer, Assistant in the Gregory County Extension Office, advised the Commission that their office is purchasing a desktop computer at a cost of \$1,300 from Don Bousek Consulting. The funds are available in their budget. The Commissioners expressed appreciation for the information.

Executive Session: Motion by Bob Hausmann, second by Myron Johnson to enter into executive session at 10:40 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Myron Johnson, second by Bob Hausmann to adjourn from executive session at 10:58 a.m. with no action taken.

All members present voted aye. Motion carried.

Salary Bonus: Motion by Kelsea Sutton, second by Bob Hausmann to approve a \$2,500 one-time bonus for Brad Christensen, Emergency Management Director, for compensation for additional work during 2019-2020 disaster activities. The salary of the Director is reimbursable through COVID Cares Act Funding. All members present voted aye. Motion carried.

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

Jensen Family Trust Conditional Use Permit: The Board once again discussed the permit application from the Jensen Family Trust.

Present to listen to the discussion were A.J. and Sherry Jensen, Julie Baker and Martin Lawler, as well as Casey Burrus, Planning and Zoning Administrator.

The Board inquired as to potential changes to the proposed campground to alleviate concerns of the Baker family. Mr. Jensen proposed the following: Move camper sites to east end of the field and no more than 10 camper sites on that side of the creek.

Mrs. Baker stated the proposal wasn't everything they were wanting, but it was better. Commissioner Sutton expressed her concerns that more should be done.

Motion by Jessy Biggins, second by Myron Johnson to approve the conditional used permit with the restrictions of the Planning and Zoning Board that wheels remain on the campers and that the renters must be transient. They also require that the Jensen Family Trust follow through with their proposals for the campground.

Upon call for votes: Voting aye were Myron Johnson, Jessy Biggins and Jeff Johnson. Voting naye was Kelsea Sutton. Abstaining was Bob Hausmann. Motion passed.

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

Sidewalk Repair: The Commission was advised that no firm bids were received for repair of the side walks and east rear parking lot driveway pad. The Board once again reviewed the two quotes received earlier:

Divine Concrete - \$7,578
Rosebud Concrete - \$6,870

Motion by Myron Johnson, second by Jessy Biggins to accept the quote of Rosebud Concrete. All members present voted aye. Motion carried.

Surplus Office Furniture: Motion by Bob Hausmann, second by Myron Johnson to surplus the following office furniture:

Auditor's office: Green metal desk - #747 - \$0
 Workstation #1229 - \$0
 Brown Computer Desk - #1080 - \$0
Treasurer's office: Workstation #1227 - \$0
 Workstation #1228 - \$0

All members present voted aye. Motion carried.

Property Values of Concerned Landowner: Mona Taggart met with the Commission to discuss the value and classification of her property, which has been valued as NA, but is used as Ag.

Mrs. Taggart has requested that taxes overpaid be refunded and unpaid be abated proportionately.

Casey Burrus, Director of Equalization, explained the process of classifying land under 20 acres in size, per statute. The property values for 2020 pay in 2021 are now Ag as Mrs. Taggart has now signed the form requesting the classification change.

Mrs. Taggart has concerns that attempts were not made to help her remedy the issue.

The Commissioners explained the appeal process that should be followed every year. Mrs. Taggart will need to follow the abatement process to move forward with her request.

Mrs. Taggart informed she would move forward and may retain an attorney for assistance.

Amendment to Agreement #614938: Motion by Jessy Biggins, second by Myron Johnson to authorize the Chair to sign an amendment to Agreement #614938 – Project No. ER6495(01)-limiting amount of \$7,749.44. (Site 1 south of Merle Nelson's). All members present voted aye. Motion carried.

Salary Increase: Motion by Jessy Biggins, second by Bob Hausmann to approve a \$.20 per hour increase to David Jaros as he has completed the six-month probationary period, with the raise to be effective 10/8/2020. All members present voted aye. Motion carried.

Gravel Crushing and Gravel Supply Bid Letting: Motion by Jessy Biggins, second by Myron Johnson to advertise for gravel crushing bids and gravel supply bids (per ton) to be opened at a special meeting to be held October 22, 2020 at 9:00 a.m. The meeting will be held at the Commissioners room with

telephonic and Zoom options available to all Commissioners and bidders. All members present voted aye. Motion carried.

Road Concern: The Commission received a letter from the law firm of Morgan Theeler from Mitchell, representing Jay and Carla Schmitz, concerning the condition of a stretch of road on 350th Avenue, between 298th and 299th Streets. The Schmitz' have issues that the road has not been maintained properly and is six feet below the approach to their property in several locations.

Motion by Myron Johnson, second by Jessy Biggins to recognize receipt of the letter and to advise Jay and Carla Schmitz, and their attorney, that the highway crew will take the proper equipment to the road to build up the road to remedy their concerns. All members present voted aye. Motion carried.

Deputy Auditor Retirement: Motion by Jessy Biggins, second by Bob Hausmann to accept a letter of retirement from Joan Lunn, Deputy Auditor, effective December 31, 2020. All members present voted aye. Motion carried.

Deputy Auditor Position Opening: Motion by Jessy Biggins, second by Bob Hausmann to authorize the Auditor to advertise for applications to fill the Deputy Auditor position. All members present voted aye. Motion carried.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Jeff Johnson, Chair