

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, December 3, 2019 at 9:00 a.m. in Burke with the following members present: Myron Johnson, Jeff Johnson, Kelsea Sutton and Bob Hausmann. Members absent: Jessy Biggins. 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 as presented. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Jeff Johnson, second by Bob Hausmann to approve the minutes of the November 19, 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.

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

Approval of Claims: Motion by Bob Hausmann, second by Kelsea Sutton 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 November 30, 2019.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	4,058,696.86
Insufficient Fund Checks.....	\$	549.37
Cash Over.....	\$	1,873.26
TOTAL.....	\$	4,061,644.49

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

Statement of fees collected in the Sheriff’s Office for the month ending November 30, 2019 in the amount of \$582.50.

Statement of fees collected in the Register of Deeds Office for the month ending November 30, 2019 in the amount of \$6,570.45.

Statement of fees collected in the Clerk of Courts Office for the month ending October 31, 2019 in the amount of \$2,847.03.

November 2019 Payroll

(Listed by office)

Wellmark - \$20,015.58
AFLAC - \$1060.38
Office of Child Support - \$1,980.00
1st Fidelity Bank ACH fee - \$25.00
AAA Collections Inc. – 186.83
Commissioners - \$3,063.26
Treasurers - \$7,986.74
Courthouse - \$4,994.10
ROD - \$7,563.65
Sheriff - \$22,293.47
Nurses - \$3,634.22
Weed - \$582.74
Road and Bridge - \$62,031.11
24/7 Sobriety Testing - \$898.25

SDRS - \$12,274.08
SDSRP - \$50.00
1st Fidelity Bank - \$23,883.86
Breit & Boomsma - \$200.00
Ft. Randall Credit Union - 100.00
Auditors - \$6,352.11
States Attorney - \$7,020.59
DOE - \$8,005.58
VA - \$672.81
Solid Waste - \$3,361.14
4-H/Youth -\$0.00
Planning/Zoning - \$733.00
EMD - \$1,561.11

Andes Central School District	6,219.70	October 2019	Apportionment
Bonesteel Town	19,110.09	October 2019	Apportionment
Burke City	54,462.95	October 2019	Apportionment
Burke School District #26-2	461,616.16	October 2019	Apportionment
Dallas Town	11,512.48	October 2019	Apportionment
Dixon Township	1,584.00	October 2019	Apportionment
Edens Township	2,384.73	October 2019	Apportionment
Fairfax Civil Township	912.18	October 2019	Apportionment
Town of Fairfax	4,198.30	October 2019	Apportionment
Gregory City	114,763.11	October 2019	Apportionment
Gregory School District #26-4	592,384.69	October 2019	Apportionment
Town of Herrick	2,722.79	October 2019	Apportionment
Jones Township	2,897.20	October 2019	Apportionment
Pleasant Valley Township	781.85	October 2019	Apportionment
Schriever Township	1,538.75	October 2019	Apportionment
South Central Water Dev. Dist.	6,312.97	October 2019	Apportionment
South Central School #26-5	202,564.35	October 2019	Apportionment
Star Valley Township	1,249.35	October 2019	Apportionment
Bonesteel Fire Department	3,051.36	Fire Insurance Tax	Dist.
Burke Vol. Fire Dept.	6,734.04	Fire Insurance Tax	Dist.
Dallas Fire Dept.	1,262.64	Fire Insurance Tax	Dist.
Fairfax Fire Department	1,683.50	Fire Insurance Tax	Dist.
Gregory Fire Department	8,312.32	Fire Insurance Tax	Dist.
A-Ox Welding Supply Company	133.03	R&B Supplies	
Appeara	116.85	R&B Supplies	
Auto Body Specialties	66.00	R&B Repair	
Avera Gregory Hospital	159.00	Courts	
Axon Enterprise, Inc	190.00	Sheriff Supplies	

B&L Communication	40.00	Sheriff Repair
Mark Bailey	191.76	R&B Clothing Allowance
Bartling Welding & Machine	450.00	R&B Supplies
Bonesteel Enterprise	333.31	Publishing
Burke One Stop	83.47	Sheriff Travel
Burke Building Center	30,795.44	Rebuild Truck Barn
Burke City Finance Office	937.79	Courthouse & R&B Utilities
Burke Gazette	302.41	Publishing
Burke Postmaster	110.00	2 Rolls Stamps
Burke School District #26-2	3,010.44	Monthly Contract
True Value Hardware-Burke	377.00	Courthouse, 4-H Supplies R&B
Butler Machinery	502.36	R&B Repairs
CenturyLink	228.57	911
CHS Winner	5,357.09	R&B Supplies
Connecting Point	1,240.00	Auditor Computer
Dallas Town	25.50	R&B Utilities
Depart. Of Legislative Audit	10,305.00	Audit
Equipment Blades Inc.	1,714.36	R&B Repairs
Dewey Ertz, ED.	3,264.84	Mentally Ill
Evergreen Office Solutions	33.00	User Charges
Executive Management	34.00	Auditor Supplies
Farm and Home Publishers	60.00	Treasurer Maps
First National Bank Omaha	1,136.33	Sheriff, EMD Utilities
Fox & Youngberg, Pc	197.32	Court Appointed
Galls, LLC	423.33	Sheriff Supplies, 24/7
Girton Adams Company	433.98	Courthouse Repairs
Gregory Building Center	187.15	R&B Supplies
Gregory Co. Treasurer	4,714.74	Partial Payment
Gregory Times Advocate	255.04	Publishing
Hein Law Office	198.55	Court Appointed
Hertz Ranch	15,255.50	R&B Gravel
Interstate Battery System	347.85	R&B Repairs
Jim's Garbage Service	170.00	Court House Utilities
Laura Kahler	96.62	4-H Supplies
Mark Katterhagen	15.00	Mentally Ill
Kennebec Telephone Company	43.80	911
Robert T. Konrad	4,118.44	Court Appointed
Lucy Lewno	166.50	Mentally Ill
Lewis & Clark Behavioral	500.00	Mentally Ill
Lincoln County Treasurer	90.00	Mentally Ill
Darcy Lockwood	15.00	Mentally Ill
Main Street Auto	635.64	R&B, Commission Repair
Marco	3,847.00	Konica Color Printer
Nikki Matucha	10.92	Doe Travel

Mcleod's Printing	49.00	Doe Business Cards
Meyerink Farm Service	3,308.09	R&B Repairs & Supplies
Mulehead Gravel	2,781.48	R&B Gravel
Rachelle Norberg	104.05	Court Appointed
Office Products Center	2,223.39	Supplies
Opperman, Inc.	4,437.45	R&B Supplies
Pakor, Inc	231.45	Rod Supplies
Pennington Co. Jail	70.50	Jail Travel
Prorate Services LLC	75.00	R&B Program Renewal
Quality Quick Print	58.62	Auditor Forms
Redwood Toxicology Laboratory	218.22	24/7 Supplies
Reiman Welding	563.00	R&B Repair
Rosebud Electric Cooperative	284.48	EMD Tower, R&B Solid Waste
Rosebud Farmers Union	11,365.39	EMD Repairs, R&B Courthouse
Runnings	138.04	Sheriff, R&B Supplies, Repairs
Sandhill Equipment, Inc	98.38	R&B Repair
Scott's Auto Repair	89.00	Sheriff Repair
Sd Sheriff's Association	628.13	Sheriff Dues
SDAAO	150.00	Doe Membership
Sdae4-Hp	60.00	4-H Membership
Sinclair Sand & Gravel	4,672.72	Gravel Hauling
Spencer Quarries/Comm Asphalt	2,875.52	R&B Gravel
Kory Standy	14,097.10	R&B Gravel
Sandy J Steffen Law Office	1,043.80	Court Appointed
Steinley Real Estate Appraisal	315.00	Doe School
Swier Law Firm, Prof. LLC	895.80	Court Appointed
Taylor Plumbing	591.79	Courthouse Repair
Thomson Reuters West	139.24	Auditor, States Atty Books
Trevor's Tech	39.99	4-H Supplies
Tri-County Landfill	460.24	Solid Waste Rental
Tripp County Water User Dist.	13.00	Herrick Shop
Us Bank Voyager Fleet System	1,919.26	Sheriff, EMD Travel
Verizon Wireless, Bellevue	377.28	Utilities
Wellmark	14,897.30	Payroll Insurance
Winner Family Dentistry	352.00	Jail Medical
City of Winner	18,772.16	911 Service Charge
Winner Health Mart Pharmacy	22.05	Jail Medical
Winner Police Department	10,905.00	Jail Housing
Winner Regional Healthcare	319.00	Jail Medical
WW Tire Service	1,964.60	R&B Repairs
Yankton County Treasurer	120.00	Mentally Ill
Yankton Co. Sheriff's Office	100.00	Mentally Ill

All members present voted aye. Motion carried.

Travel Request: Motion by Kelsea Sutton, second by Jeff Johnson to approve the following requests:

Kristi Carlson, Nurse's Asst.	December 10, 2019 in Pierre for Software Training
Kathy Serr, Treasurer	December 11, 2019 in Pierre for SDACO Executive Board

All members present voted aye. Motion carried.

Legislative Contact: Motion by Kelsea Sutton, second by Bob Hausmann to appoint Myron Johnson as legislative contact for SDACC. All members present voted aye. Motion carried.

Community Health Nursing Contract: Motion by Kelsea Sutton, second by Bob Hausmann to authorize the County Chair to enter into the 2020 contract with the SD Department of Health for provision of public health services for Gregory County, at a cost of \$5,342.10. All members present voted aye. Motion carried.

Retail Liquor License Hearing: The hearing for an application for renewal of a liquor license submitted by Philip Pense, dba Lucas Bar, was held at 9:30 a.m. as advertised. The location applied for in the application is Lots 3 to 8 inclusive, Block 6, Lucas Town (106 Mission Street).

Mr. Philip Pense presented his desire to renew the license, as he wishes to see the area invigorated with new businesses.

Raymond and Linda Roggow, who own property in the Lucas townsite, provided opposition as they believe the Commissioners must follow the zoning ordinance protocol which prohibits a bar in a R-4 Residential site (small townsites).

No one else presented testimony as proponents or opponents to the application.

Motion by Kelsea Sutton, second by Bob Hausmann to close the hearing. All members present voted aye. Motion carried.

Chair Johnson asked the State's Attorney, Amy Bartling-Jacobsen, for legal advice pertaining to zoning. Ms. Jacobsen advised the Commission that since the zoning ordinance has not been changed to accommodate for such a business in the Lucas townsite, that they do not have the option before them to approve the application.

Commissioner Jeff Johnson Inquired as to whether Mr. Pense had made any structural improvements since the February 2019 meeting in which the Board of Adjustment denied the conditional use permit. Mr. Pense informed the Board that he had not.

Commissioner Sutton inquired as to whether the Pense's had thought of moving the physical location of the bar to other private property they own. Mr. Pense said he would not disturb agricultural land to build a commercial business.

Motion by Bob Hausmann, second by Kelsea Sutton to deny the renewal application for the retail liquor license of Philip and Theron Pense, dba Lucas Bar located in the townsite of Lucas, as it does not comply with the Gregory County Zoning Ordinance.

Upon roll call; Bob Hausmann-aye; Kelsea Sutton-aye; Jessy Biggins-absent; Jeff Johnson-naye; Myron Johnson-aye. Motion carried.

Contingency Transfers: Motion by Kelsea Sutton, second by Jeff Johnson to approve the following transfers from the Commissioners Contingency Budget:

Insurance	\$1,794.53
C. A. Attorneys	\$7,736.79
Poor Relief	\$1,682.12
Historical Site	\$1,000.00
Economic Development	\$2,385.83
Mentally Ill	\$9,321.48
Jail Medical	\$2,233.10

All members present voted aye. Motion carried.

Utilities Easement: Motion by Jeff Johnson, second by Bob Hausmann to approve an Application for Occupancy on the R-O-W of the County Highways for the following:

Golden West Telecommunications service to 30019 S. Scalp Road (Section 17, T95N, R76W).

All members present voted aye. Motion carried.

Drainage Grants: Motion by Kelsea Sutton, second by Jeff Johnson to authorize the Highway Superintendent to apply for drainage grants from the Southern Missouri Water Development District for use in the cities of Burke and Gregory. All members present voted aye. Motion carried.

County Highway Shop Furnace: Brad Ellwanger, Highway Superintendent, reported to the Board that the furnace at the main highway shop is having mechanical issues. Mr. Ellwanger will get going on purchasing a new furnace due to emergency needs.

Automatic Supplement to Budget: Motion by Bob Hausmann, second by Jeff Johnson to establish a budget in the General Fund to pay for the expenditures of rebuilding the truck barn destroyed by the August tornado in Burke, and to supplement the budget \$30,000 from insurance proceeds received. All members present voted aye. Motion carried.

Formal Supplemental Budget Hearing: Motion by Jeff Johnson, second by Bob Hausmann to advertise for a formal supplemental budget hearing to be held at the Commissioners' final meeting of the 2019 business year. This supplement will be for covering unanticipated expenses. All members present voted aye. Motion carried.

2019 Final Meeting Date: Motion by Bob Hausmann, second by Kelsea Sutton to set December 31, 2019 as the final meeting date for the year of 2019. All members present voted aye. Motion carried.

Computer Purchase: Motion by Kelsea Sutton, second by Bob Hausmann to approve the purchase of a computer for the Sheriff's office at a cost of \$2,023.58. The computer will be paid from 24/7 Sobriety funds. All members present voted aye. Motion carried.

Holiday Leave: Motion by Bob Hausmann, second by Kelsea Sutton to grant December 23, 24, and 25, 2019 off to all county employees, as per the Personnel Policy Handbook to follow federal and state mandated holidays. 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