

Gregory County Commission Proceedings

A special meeting of the Gregory County Commission was held Tuesday, April 28, 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, Amy Bartling Jacobsen, States Attorney, and Tim Drey, Sheriff.

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

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.

Purpose of the Meeting: The meeting was called for the purpose of hearing testimony upon the requests of businesses to re-open while complying with CDC guidelines and Governor Noem's Executive Order 2020-12.

Executive Session: Motion by Jessy Biggins, second by Myron Johnson to enter into executive session at 9:02 a.m. to discuss legal matters. All members present voted aye. Motion carried.

Motion by Myron Johnson, second by Bob Hausmann to adjourn from executive session at 9:43 a.m. with no action taken. All members present voted aye. Motion carried.

Public Hearing Input: The Chair opened up the meeting for public input as to potential amendments of Gregory County Resolution No. 03-24-20 and/or enactment of a County Ordinance.

A number of county residents called into the meeting via telephone and several appeared in person.

There were a number of comments in favor of lifting regulations as well as those who want to keep regulations in place to assure that social distancing and the '6-foot rule' are followed.

Scott Anshutz, Mayor of Gregory, informed the Board of the city's conversations with restaurants and bars, hair salons and the fitness center. The city will meet Tuesday evening (April 28th) to discuss action proposed to the council.

Rachelle Norberg, City Attorney for Burke, Bonesteel and Fairfax, reminded everyone that regardless of what the county does, residents must adhere to city ordinances or resolutions.

The Chair closed the meeting to public input.

Amy Bartling-Jacobsen, State's Attorney, discussed the process that Commissioners may take to provide guidance and set forth parameters regarding opening of business.

Chair Jeff Johnson stated that he would be in favor of allowing hair and nail salons, barbershops, public and private gyms and video lottery casinos to reopen.

Motion by Myron Johnson, second by Bob Hausmann to modify Gregory County Resolution No. 03-24-20 to allow hair and nail salons, barbershops, public and private gyms and video lottery casinos to reopen as long as they follow their proposed plan.

The Board held considerable discussion on the motion as each of the businesses' plans vary in protocol outlined.

Motion by Myron Johnson, second By Bob Hausmann to rescind the motion on the table and to offer the following motion: Effective 4-29-2020 at 12:00 a.m., modify Gregory County Resolution No, 03-24-20 as follows:

Section 11. REMOVE 'public and private gyms' from the directive to close and cease operations

Section 13. REMOVE 'video lottery casino operations; hair and nail salons; and barbershops' from the directive to close and cease operations

Upon further discussion, Commissioner Sutton expressed her concerns with lifting restrictions, especially since the Governor has not released any plans for reopening entities and businesses across the State.

Upon call for vote: All members present voted aye. Motion carried.

Gregory County Ordinance 2020-01: Motion by Jessy Biggins, second by Kelsea Sutton to document 1st reading of Gregory County Ordinance 2020-01 – An Emergency Ordinance to Address a Public Health Crisis. The 2nd reading and final adoption of said ordinance will be held on May 5, 2020 at 9:30 a.m. 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