

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, September 21, 2021 at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Myron Johnson, Lance Matucha and Bob Hausmann. Members absent: Jeff Johnson. Also present: Julie Bartling, Gregory County Auditor.

Vice-Chair Jessy Biggins opened the meeting with reciting of the Pledge of Allegiance.

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

Approval of Minutes: Motion by Lance Matucha, second by Myron Johnson to approve the minutes of the September 7, 2021 and September 8, 2021 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 have been any ex-parte communications by any member present. None were notated.

Public Input: The Chair opened up the meeting for public input. No one appeared at the meeting.

Approval of Plat: The following plat was presented for approval: North Addition- St Joseph Catholic Cemetery, a subdivision of Lot B-1, located in the S ½ of the NW ¼ of Section 13, T97N, R73W. Motion by Myron Johnson, second by Bob Hausmann to offer the following resolution of approval:

APPROVAL- GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owner of the land herein platted as NORTH ADDITION-St. JOSEPH CATHOLIC CEMETERY, a subdivision of Lot B-1, located in the S ½ of the NW ¼ of Section 13, Township 97 North, Range 73 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 lie within the platting jurisdiction but outside the city limits of Gregory, SD, and 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 21st day of September, 2021. Upon roll call for vote: Bob Hausmann- aye; Lance Matucha- aye; Myron Johnson -aye; Jeff Johnson - absent; Jessy Biggins -aye. Resolution passed.

Resignation: Motion by Lance Matucha, second by Myron Johnson to accept the resignation of Casey Burrus as Director of Equalization and Planning and Zoning Administrator on October 18, 2021. All members present voted aye. Motion carried.

Gregory County Ordinance No. 2021-02 Reading: The second reading and final adoption hearing of Gregory County Ordinance No. 2021-02- Amending Gregory County Zoning Ordinance and All Amendments Thereto, Medical Cannabis Ordinance Single Dispensary, was held at 9:15 a.m. as advertised.

Chair Biggins opened the hearing for public comment. Marvel Carter of Burke appeared and stated she wants to make sure any dispensaries follow the zoning regulations.

Chair Biggins closed public comment and opened up for Board discussion. The commissioners discussed as to whether more licenses should be allowed outside the municipal boundaries. Commissioner Matucha commented that, even though the county ordinance allows for one license, the incorporated municipalities may allow for dispensaries as well. Commissioner Biggins stated that he feels that the County should allow for at least 2 dispensaries to meet potential medical needs of citizens.

Motion by Myron Johnson, second by Lance Matucha to adopt Gregory County Ordinance No. 2021-02 as written with no changes. Upon call for vote: Bob Hausmann-aye; Lance Matucha- aye; Myron Johnson-aye; Jeff Johnson- absent; Jessy Biggins- naye. Ordinance is hereby adopted.

Gregory County Ordinance No. 2021-03 Reading: The second reading and final adoption hearing of Gregory County Ordinance No. 2021-03- An Ordinance Creating Licensing Provisions of Cannabis Establishments in Gregory County, was held at 9:30 a.m. as advertised.

Chair Biggins opened the hearing up for public testimony. Marvel Carter of Burke appeared and commented the license holders must adhere to all zoning regulations governing such businesses.

Chair Biggins closed the public comment portion of the hearing and opened it up for Commission discussion. Commissioner Biggins once again commented that he feels more than one dispensary is needed for county residents' medical needs.

Motion by Bob Hausmann, second by Lance Matucha to adopt Gregory County Ordinance No. 2021-03 as written with no changes. Upon call for vote: Bob Hausmann-aye; Lance Matucha- aye; Myron Johnson-aye; Jeff Johnson- absent; Jessy Biggins-naye. Ordinance is hereby adopted.

Advertisement For DOE Position: Motion by Myron Johnson, second by Bob Hausmann to advertise for the position of Director of Equalization, with applications to be submitted to the Gregory County Auditor no later than October 15, 2021. All members present voted aye. Motion carried.

Road Concerns: Rita Grim met with the Commission regarding concerns over the rough conditions of County Road 28, which travels by their home. The Board advised Mrs. Grim that repair work is in order for the road.

Adoption of Annual Budget: The hearing for final adoption of the 2022 Gregory County Annual Budget was held at 10:00 a.m. as advertised. Motion by Bob Hausmann, second by Lance Matucha to offer the following resolution of adoption of the 2022 annual budget, with the following changes from the Provisional Budget:

General Fund:

*Economic Development	\$ 850	to	\$ 3,950
*Cash Applied -	\$ 318,504	to	\$ 302,160

*Current Tax Levy (valuation change) \$2,552,500 to \$2,572,107

Road & Bridge Fund:

*Cash Applied \$ 347,382 to \$ 346,136

*Current Tax Levy (valuation change) \$ 192,574 to \$ 193,820

Rural Access Infrastructure Fund:

*Miscellaneous Revenue \$ 500 to \$ 476

RESOLUTION: ADOPTION OF ANNUAL BUDGET FOR Gregory County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year; and

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law; and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, Schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR Gregory County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of Gregory County, South Dakota, this 21st day of September, 2021.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Gregory County, South Dakota. The accompanying taxes are levied by Gregory County for the year January 1, 2022 through December 31, 2022.

COUNTY TAX LEVIES	Dollars:	\$'s/1,000
General County Purposes	\$ 2,572,107	\$ 3.958
Secondary Road	193,820	.552
Fire Protection	73,621	.113
TOTAL TAXES LEVIED BY COUNTY	\$2,839,548	\$ 4.623

Upon roll call for vote: Bob Hausmann -aye; Lance Matucha -aye; Myron Johnson -aye; Jeff Johnson absent; Jessie Biggins – aye. Resolution passed.

5-year County Highway and Bridge Improvement Plan: Motion by Myron Johnson, second by Bob Hausmann to approve the 2022 through 2026 Five-Year Gregory County Highway and Bridge Improvement Plan as presented at the September 8, 2021 public meeting. All members present voted aye. Motion carried.

LEMPG Participation: Motion by Lance Matucha, second by Myron Johnson to NOT participate in the Local Emergency Management Performance Grant (LEMPG) for the year 2022. All members present voted aye. Motion carried.

Budget Supplements: Motion by Bob Hausmann, second by Myron Johnson to supplement the following budgets, as funds have been received from the State of South Dakota for expenses that the county has already paid for out of the budgeted dollars:

- Road & Bridge Budget:
\$250,891.11 FEMA Funds
\$366,341.60 ER Funds
- EM & DS Budget:
\$31,181.00 EM & DS Equipment Grant

All members present voted aye. Motion carried.

Commissioners Contingency Transfer: Motion by Lance Matucha, second by Bob Hausmann to approve the following transfers from Commissioners Contingency:

MERP (Health Ins. Payments)	-	\$30,000.00
Mentally Ill	-	3,500.00
Economic Development	-	676.40

All members present voted aye. Motion carried.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Jessy Biggins, Vice-Chair