

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, September 7, 2021, at 9:00 a.m. in Burke with the following members present: Jeff Johnson, Myron Johnson, Jessy Biggins, Lance Matucha and Bob Hausmann. Also present: Julie Bartling, Gregory County Auditor and Patty Connealy, Gregory Times Advocate.

Chair Jeff Johnson 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 Jessy Biggins to approve the minutes of the August 17, 2021, August 19, 2021 and August 24, 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.

Travel Requests: Motion by Myron Johnson, second by Jessy Biggins to approve the following travel requests:

County Commissioners & Officials – Annual Convention in Rapid City, SD - September 12-13-14, 2021
Tim Drey, Sheriff – FBI NICS Training – Pierre, SD - September 14, 2021

Laura Kahler – ETHICS SD (trapping program) – Pierre, SD - September 20-21, 2021 (share w/Tripp Co.)

All members present voted aye. Motion carried.

Plat Approval: The following plat was presented for approval: Burke Estates and 5th Street Expansion, a subdivision of a portion of the W ½ of the SE ¼ of Section 30, T 97 N, R 71 W, Gregory County, SD. Motion by Jessy Biggins, second by Bob Hausmann to offer the following resolution of approval:

APPROVAL

GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owners of the land herein platted as **BURKE ESTATES and 5th Street Expansion**, a subdivision of a portion of the W ½ of the SE ¼ of Section 30, T 97 N, R 71 W of the 5th P.M., Gregory County, SD, have submitted the plat to the Gregory County Board of Commissioners for their consideration and approval, and it appears that the land is adjacent to the City of Burke, SD, and that the City Council of Burke, SD has approved the plat, and that the enclosed streets are dedicated as private streets to be developed and maintained by the owners of the land served until such time another entity assumes responsibility for development and maintenance of the streets, and that the survey and plat conform to all requirements of SDCL 11-3-8.

NOW THEREFORE, BE IT RESOLVED: that said plat be approved this 7th day of September, 2021.

Upon call for vote: Bob Hausmann-aye; Lance Matucha-aye; Jessy Biggins-aye; Myron Johnson-aye; Jeff Johnson-aye. Resolution passed.

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

Approval of Variance: The following application for variance was received: Chad and Michele Bentz to build a house on a parcel of land less than 40 acres in an Ag District in the W 258' of SE ¼ SE ¼ lying S & W of Former RR R-O-W, S of H2, Section 6-95-68, Pleasant Valley Township. Motion by Lance Matucha, second by Bob Hausmann to approve the variance. All members present voted aye. Motion carried.

Adjourn as Board of Adjustment: Motion by Bob Hausmann, second by Jessy Biggins to adjourn as a Board of Adjustment and to reconvene as a Board of County Commission. All members present voted aye. Motion carried.

Sealed Bids for Car: The Board received sealed bids for the 2017 Dodge Charger at 9:25 a.m. as advertised. The following bid was received:

Tara Engel- \$3,257.00

Motion by Myron Johnson, second by Lance Matucha to reject the bid as it does not meet the minimum 90% of appraisal price. The Board will hold onto the vehicle and perhaps sell or trade it at a later date. All members present voted aye. Motion carried.

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 August 31, 2021.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	3,215,434.52
Insufficient Fund Checks.....	\$	65.75
Cash Over.....	\$	-160.72
TOTAL.....	\$	3,215,864.55

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 August 31, 2021 in the amount of \$13,691.70

Statement of fees collected in the Sheriff's Office for the month ending August 31, 2021 in the amount of \$555.00.

Statement of fees collected in the Clerk of Courts Office for the month ending July 31, 2021 in the amount of \$7,517.37 and for the month ending August 31, 2021 in the amount of \$4,108.45.

August Payroll:

August 31, 2021

Wellmark- \$16,197.84	SDRS-\$12,295.10
AFLAC- \$669.36	First National Bank- \$26.70
Rodenburg Law Firm-\$259.41	MN Child Support- \$542.40
SDSRP- \$100.00	Office of Child Support- \$140.00
NE Child Support -\$850.00	1st Fidelity Bank -\$23,701.98
GIS Benefits -\$1,675.20	Commissioners -\$3,293.94
Auditor -\$6,969.71	Treasurer-\$7,810.05
States Attorney-\$7,306.59	Courthouse-\$4,063.35
DOE-\$7,867.17	ROD-\$7,684.99
VA-\$700.00	Sheriff- \$23,138.77
Solid Waste-\$2,166.73	Nurse-\$3,688.87
4-H/Youth-\$4,133.21	Weed-\$4,449.11
Planning/Zoning-\$908.65	Road/Bridge-\$53,938.94
EM&D-\$1,623.82	24/7 Sobriety Testing- \$534.36

Burke School District #26-2	July 2021 Apportionment	\$9,563.78
Gregory School District #26-4	July 2021 Apportionment	6,438.54
South Central School #26-5	July 2021 Apportionment	6,617.88
Dixon Township	July 2021 Apportionment	11.99
Fairfax Civil Township	July 2021 Apportionment	31.95
Pleasant Valley Township	July 2021 Apportionment	215.90
Star Valley Township	July 2021 Apportionment	78.15
Bonesteel Town	July 2021 Apportionment	619.59
Burke City	July 2021 Apportionment	886.88
Dallas Town	July 2021 Apportionment	378.13
Town Of Fairfax	July 2021 Apportionment	76.52
Gregory City	July 2021 Apportionment	743.14
Town Of Herrick	July 2021 Apportionment	709.42
South Central Water Dev. Dist.	July 2021 Apportionment	97.28

Appeara	\$ 136.92	R&B Supplies
B&L Communication	1,196.55	R&B Supplies
Bartling Welding & Machine	12.60	Weed Repairs
Bonesteel Enterprise	964.41	Publishing
Brad Christensen	92.72	EM&D Repairs
Bruns Market	54.70	Commissioner Supplies
Burke City	1,404.05	Courthouse Utilities
Burke Gazette	1,347.28	Publishing

Burke One Stop LLC	16.94	Courthouse Supplies
True Value Hardware-Burke	203.79	Weed Supplies
Butler Machinery	2,941.41	R&B Repairs & Supplies
Charles Mix Co. Sheriff	390.00	Jail Prisoner Housing
Community Memorial Hospital	153.00	R&B Supplies
Connecting Point	12,678.00	Software/Comp Maintenance
Creative Product Source, Inc	328.13	Sheriffs Supplies
Dakota Auto Care	904.82	R&B Repairs
Dallas Town	43.00	R&B Utilities
Diesel Systems	564.16	R&B Repairs
Dollar General	67.36	4H Youth Supplies
Equipment Blades Inc.	2,480.71	R&B Repairs
Executive Management	46.00	Auditors Utilities
First National Bank Omaha	809.92	Supplies
Floyd's Truck Center	837.77	R&B Repairs
Fox & Youngberg, Pc	189.21	Mentally Ill
Galls, LLC	342.91	Sheriffs Supplies
Gentele Trucking, LLC	7,625.17	Gravel Hauler
Golden West	1,273.43	Utilities
Great Plains Roofing	11,029.20	Courthouse Construction
Gregory Co. Treasurer	55.10	Partial Payment
Gregory Co. Treasurer	1,531.00	Partial Payment
Gregory Times Advocate	906.41	P/Z & Comm Publishing
Grossenburg Implement	146.56	R&B Repairs
Group Resources	216.00	Insurance
Harry K Napa	74.83	R&B Repairs & Supplies
Heartland Funeral Home	2,000.00	Support of Poor
Hein Law Office	7,098.45	Court Appointed
Herman Rolf	16.72	Written In Lieu Of 113016
Jay Broome	32.50	Courthouse Supplies
JC Supply Products	2,105.02	R & B/Landfill Supplies
Jeff's Gun Vault	255.51	Sheriffs Supplies
Jim's Garbage Service	170.00	Courthouse Utilities
Joel Sinclair LLC	110,862.09	Gravel Hauler
Johnson Auto Repair	233.71	Weed Repairs
Kathy Serr	133.16	Commissioner Supplies
Mark Katterhagen	15.00	Mentally Ill
Kennebec Telephone Company	50.66	911 Contract Expenses
Kimball Midwest	429.62	R&B Supplies
Koletzky Implement, Inc.	210.88	R&B Repairs
L.L. Jirsa Architect	1,510.00	Courthouse Prof Service
Lewis & Clark Behavioral	184.00	Mentally Ill
Lucy Lewno	166.51	Mentally Ill
Lincoln County Treasurer	49.50	Mentally Ill

Darcy Lockwood	15.00	Mentally Ill
M&J Auto	29.99	Sheriff Supplies
Main Street Auto	505.39	R&B Repairs & Supplies
Main Street Auto	87.06	Sheriffs Repairs
Marco	65.33	Copy Machine
Mcleod's Printing	470.98	Auditors Supplies
Meyerink Farm Service	263.01	R&B Repairs
Microfilm Imaging Systems	1,696.90	ROD Software Maintenance
Mr. Automotive	260.30	R&B Repairs &Supplies
Nelson Machine & Welding	62.54	EM&D Repairs
North Central International Of	18.98	R&B Supplies
Office Products Center	708.74	Supplies
Opperman, Inc.	8,527.48	R&B Supplies
Pahlke Law Office	306.90	Courts
Precision Reporting	222.75	Professional Services
Prestige Chemicals	338.78	R&B Supplies
Productivity Plus Account	1,154.50	R&B Repairs
Purchase Power	244.98	Postage
Ramkota Hotel & Conference Cen	154.00	VA Travel
RDO Equipment Co.	10,679.41	R&B Repairs
Rosebud Electric Cooperative	215.86	EM&D Utilities
Rosebud Farmers Union	4,388.49	R&B Repairs & Supplies
Rue Trucking	6,234.29	Gravel Hauler
Runnings	719.97	R&B Supplies
S. Missouri Recycling & Waste	1,205.24	Solid Waste Rentals
SD Asso. Of County Commission	555.00	2021 Fall Convention
SDACOM & PRF	190.00	July 2021 M&P Collections
SD Dept. Of Revenue	112,115.77	July 2021 Remittances
SD Public Assurance Alliance	51,633.32	Prop & Liab Prop Ins Premium
SD State Treasurer	210.25	July 2021 Sales Tax
SD State Treasurer	132.22	June 2021 Sales Tax Remittance
SDSWMA	100.00	R&B Prof Service
SDACHS	350.00	R&B Supplies
Severson Service	1,044.40	R&B Repairs
Spencer Quarries/Comm Asphalt	1,900.44	R&B Supplies
Sandy J Steffen Law Office	1,259.40	Court Appointed
Todd Christensen	170.16	Written In Lieu Of 112888
Triple G Gravel Inc	2,922.60	R&B Supplies
Tripp County Water User Dist.	67.41	R&B Utilities
True North Steel, Inc.	17,922.00	R&B Supplies
Us Bank Voyager Fleet System	1,735.83	Supplies
Vander Haags, Inc	154.00	R&B Repairs
Verizon Wireless, Bellevue	403.36	Utilities
Warne Chemical & Equipment Co.	477.80	Weed Supplies

City Of Winner	18,091.20	911 Contract Expenses
City Of Winner	4,514.00	Jail Prisoner Housing
WW Tire Service	398.44	R&B Repairs
Yankton County Treasurer	125.00	Mentally Ill
Yankton Fire & Safety Company	625.50	R&B Supplies
Yankton Fire & Safety Company	134.25	Courthouse Supplies
Yankton Co. Sheriff's Office	50.00	Mentally Ill

All members present voted aye. Motion carried.

Ordinance No. 2021-03 – 1st Reading: The first reading of Gregory County Medical Cannabis- Single Dispensary Licensing Ordinance No. 2021-03 was held at 9:45 a.m. as advertised. Present at the hearing was Vickie Dobesh, (Burke City Council), Marvel Carter of Burke, SD and Dustin Swatzell of Herrick.

The Board discussed the governing regulations defined in the ordinance and the reason for the need of said ordinance.

Motion by Jessy Biggins, second by Bob Hausmann to close the first reading and to schedule the second and final reading for September 21, 2021 at 9:30 a.m. All members present voted aye. Motion carried.

Provisional Budget Hearing: The Board opened the hearing for the 2022 Gregory County Provisional Budget at 10:00 a.m. The Board discussed the budget and any potential changes. The Board will return to the budget discussion after meeting with a group requesting Economic Development funding at 10:15 a.m.

Economic Development Budget Request: Several individuals from Bonesteel, Burke, and Gregory, who devote a tremendous amount of time to community economic development, met with the Board to discuss 2022 Budget requests. Present were: Kelsea Sutton, Doug Pochop, Holly Glover, Kelly Wollman, and Mike Knutson of Dakota Resources – via telephone.

The group discussed the need to belong to the Learning Network sponsored by Dakota Resources of Renner, SD. The request is for \$3,600 to support the participation of Bonesteel, Burke, and Gregory in the program. Dakota Resources assists communities when seeking funding to build and promote economic development, housing, etc.

Motion by Myron Johnson, second by Bob Hausmann to approve budgeting \$3,600.00 (\$1,200.00 for each community's participation in the Learning Network) for 2022. All members present voted aye. Motion carried.

The Board will take final action on and adopt the 2022 Annual Gregory County budget on September 21, 2021 at 10:00 a.m.

Bridge Inspection Quotes: The following quotes were received for bridge inspections for 2022:

Ulteig Engineering \$ 20,000.00 Max

Brosz Engineering \$ 39,100.00 Max

Johnson Engineering \$ 61,306.25 Max

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

Small Structure Inventory Quotes: The following quotes for the Small Structure Inventory requirements of HB 1259 (2021 Session) were received:

Ulteig Engineering \$ 57,000

Brosz Engineering \$ 54,200

After discussion, the quotes will be reviewed at a future meeting, pending input from other individuals.

Easement for Trenching: Motion by Bob Hausmann, second by Lance Matucha to approve an easement to Chad Bentz to trench/bore under a county road in Pleasant Valley Township for water and electric lines for a new house. All members present voted aye. Motion carried.

Amendment Number 2 to Agreement Number 614987: Motion by Bob Hausmann, second by Jessy Biggins to authorize the Chair to sign Amendment Number 2 to Agreement Number 614987, which revises the limiting amounts for the following projects:

ER 6706 (02) - \$15,308.46

ER 6135 (03) - \$123,581.64

All members present voted aye. Motion carried.

Courthouse Parking Lot Discussion: The Board discussed completion of resurfacing the courthouse parking lot. Commissioner Myron Johnson spoke with Rexwinkel Concrete of Corsica, who is contracted for the concrete work for the City of Burke's street project. Rexwinkel provided a bid of \$29,806 to pour sidewalks and curb & gutter at the courthouse lot, to be poured in the first part of October. Motion by Jessy Biggins, second by Lance Matucha to accept the bid of Rexwinkel Concrete. All members present voted aye. Motion carried.

Executive Session: Motion by Myron Johnson, second by Lance Matucha to enter into executive session at 11:22 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Jessy Biggins, second by Bob Hausmann to adjourn from executive session at 11:52 a.m. with no action taken. All members present voted aye. Motion carried.

Notice of Award and Construction Agreement: Motion by Myron Johnson, second by Lance Matucha to authorize the Chair to sign the Notice of Award and Construction Agreement for work to be performed by Schweigert Construction, Inc. on FEMA Site 100 and County Road 35. All members present voted aye. Motion carried.

Executive Session: Motion by Lance Matucha, second by Myron Johnson to enter into executive session at 11:58 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Bob Hausmann, second by Lance Matucha to adjourn from executive session at 12:14 p.m. with no action taken. All members present voted aye. Motion carried.

Recess: Motion by Myron Johnson, second by Bob Hausmann to recess until 1:00 p.m., at which time the Board will meet in joint session with the Gregory County Planning Commission. All members present voted aye. Motion carried.

Joint Session: Chair Jeff Johnson declared the joint meeting open with the Gregory County Planning Commission for a public hearing and first reading of Ordinance No. 2021-02-Medical Cannabis Ordinance Single Dispensary-Amendment to the Gregory County Zoning Ordinance.

The Gregory County Planning Commission took up the ordinance at 1:03 p.m. Vickie Dobesh and Marvel Carter were present for the hearing. The Planning Commission moved the Ordinance forward to the County Commission with a recommendation of 2 dispensaries allowed in the unincorporated portions of the county.

Motion by Jessy Biggins to approve the ordinance as recommended by the Planning Commission, changing the number of dispensaries to 2. The motion failed for lack of a second.

Motion by Myron Johnson, second by Lance Matucha to approve first reading of Ordinance 2021-02, as originally drafted, with 1 dispensary. Upon call for vote: Bob Hausmann-aye; Lance Matucha-aye; Jessy Biggins-naye; Myron Johnson-aye; Jeff Johnson-aye. Motion carried.

Motion by Lance Matucha, second by Bob Hausmann to hold the second and final reading of Ordinance No. 2021-02 on September 21, 2021 at 9:15 a.m. 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

Jeff Johnson, Chair