

**Gregory County Commission Proceedings**

The regular meeting of the Gregory County Commission was held Tuesday, July 5, 2022 at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Jeff Johnson (via telephone), and Lance Matucha. Members absent: Myron Johnson and Bob Hausmann. Also present: Julie Bartling, Gregory County Auditor.

Chair Jessy Biggins called the meeting to order and all present recited the Pledge of Allegiance.

**Approval of Agenda:** Motion by Lance Matucha, second by Jeff Johnson to approve the agenda as prepared. All members present voted aye. Motion carried.

**Approval of Minutes:** Motion by Jeff Johnson, second by Lance Matucha to approve the minutes of the June 21, 2022 Commission 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 the meeting for public input. No one appeared at the meeting.

**Sheriff’s Department Personnel Request:** Tim Drey, Sheriff, met with the Commission to discuss the salary of the Department Office Assistant/24-7 Sobriety Staff. Motion by Jeff Johnson, second by Lance Matucha to set Megan Lindholm’s salary at \$16.58 per hour and to change the position to full time. All members present voted aye. Motion carried.

**Approval of Claims:** Motion by Jeff Johnson, second by Lance Matucha to approve payment of 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 June 30, 2022.

Total Amount of Actual Cash.....	\$	524.20
Checking Account.....	\$	4,732,405.79
Insufficient Fund Checks.....	\$	0.00
Cash Over.....	\$	252.75
TOTAL.....	\$	4,733,182.74

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 June 30, 2022 in the amount of \$8,954.00.

Statement of fees collected in the Sheriff’s Office for the month ending June 30, 2022 in the amount of \$920.00.

**June Payroll:**

Wellmark \$18,444.96	SDRS \$12,771.02
AFLAC \$1,037.96	First National Bank \$27.91
MN Child Support \$497.20	SDSRP \$100.00
Office of Child Support \$976.58	NE Child Support \$850.00
1st Fidelity Bank \$25,751.73	Group Resources \$216.00
GIS Benefits \$2,369.56	Commissioners \$3,236.64
Auditor \$7,222.50	Treasurer \$8,372.29
States Attorney \$10,355.56	Courthouse \$4,224.12
DOE \$7,996.17	ROD \$7,974.86
VA \$720.35	Sheriff \$24,587.77
Solid Waste \$2,510.17	Nurse \$3,838.77
4-H/Youth \$6,369.93	Weed \$7,250.39
Planning/Zoning \$277.68	Road/Bridge \$54,671.06
EM&D \$1,671.13	
24/7 Sobriety Testing \$469.37	

Andes Central School District	May 2022 Apportionment	\$ 4,745.10
Burke School District #26-2	May 2022 Apportionment	127,574.39
Gregory School District #26-4	May 2022 Apportionment	199,570.30
South Central School #26-5	May 2022 Apportionment	94,896.44
Dixon Township	May 2022 Apportionment	3,840.05
Edens Township	May 2022 Apportionment	2,448.62
Fairfax Civil Township	May 2022 Apportionment	1,623.39
Jones Township	May 2022 Apportionment	1,848.07
Landing Creek Township	May 2022 Apportionment	1,130.48
Pleasant Valley Township	May 2022 Apportionment	3,104.34
Schriever Township	May 2022 Apportionment	1,040.46
Star Valley Township	May 2022 Apportionment	919.56
Bonesteel Town	May 2022 Apportionment	5,128.59
Burke City	May 2022 Apportionment	20,695.87
Dallas Town	May 2022 Apportionment	4,354.51
Town Of Fairfax	May 2022 Apportionment	4,023.68
Gregory City	May 2022 Apportionment	34,821.09
Town Of Herrick	May 2022 Apportionment	1,846.25
South Central Water Dev. Dist.	May 2022 Apportionment	1,623.67
Tripp/Gregory Predator Control	May 2022 Collections	12.50

Appeara	139.49	R&B Supplies
Assman Impl Inc	31,200.00	R&B Equipment
Auto Body Specialties	67.16	R&B Repairs
B&L Communication	2,764.38	EM&D Repairs
Bargen Incorporated	21,637.46	R&B Construction

Bartling Welding & Machine	114.41	Weed Repairs
Dewayne Bennett	250.00	R&B Repairs
Brosz Engineering Inc.	10,840.00	R&B Prof Service
Broward Sheriff's Office	40.00	Treasurers Supplies
Bruns Market	27.49	R&B Supplies
Burke Body Shop	333.47	R&B Repairs
Burke Building Center	1,839.42	Courthouse Supplies
Burke City	1,008.11	Utilities
Burke Gazette	1,256.84	Publishing
Burke One Stop LLC	55.68	Courthouse Supplies
True Value Hardware-Burke	272.81	Courthouse Supplies
Butler Machinery	9,336.57	R&B Repairs & Supplies
C&B Operations, Inc.	707.93	R&B Repairs
Central Distribution	383.54	Courthouse Supplies
Claims Associates, Inc	2,000.00	Property/Liability Insurance
Community Memorial Hospital	258.00	R&B Supplies
Connecting Point	10,615.00	Software/Comp Maintenance
Dakota Auto Care	534.11	R&B Repairs
Dallas Town	25.00	R&B Utilities
Deadwood Mountain Grand	86.76	Sheriffs Travel
Evergreen Office Solutions	33.00	SA Software Maintenance
Executive Management	43.92	ROD Services
Executive Management	48.75	Auditors Utilities
Farm & Home Publishers, Ltd	1,260.00	Plat/Directory Maps
First National Bank Omaha	1,718.10	Supplies
Galls, LLC	332.00	24/7 Supplies
Gentele Trucking, LLC	12,367.25	R&B Gravel Hauler
Gillund Enterprises	258.95	R&B Supplies
Gregory County Conservation	15,000.00	Soil Conservation Allocation
Gregory Co. Treasurer	635.66	Partial Payment
Gregory Library	350.00	Community Library Support
Grossenburg Implement	311.86	R&B Repairs
Hein Law Office	513.98	Court Appointed
Hughes County Finance Office	5,605.00	Jail Prisoner Housing
Interstate Battery System	421.90	R&B Repairs/Supplies
JJ Sinclair Diesel Repair	811.88	R&B Repairs
Johnson Auto Repair	80.00	Weed Repairs
Kennebec Telephone Company	50.66	911 Contract Expenses
Kimball Midwest	1,422.78	R&B Supplies
Main Street Auto Parts LLC	2,069.32	Supplies/Repairs
Marco	194.30	Copy Machine
Mathis Farm Equipment	82.40	R&B Repairs
Mr. Automotive	170.62	R&B Repairs/Supplies
Nelson Machine & Welding	127.00	EM&D Repairs

Nolan Motor	483.70	R&B Liability Insurance
Office Of Child & Family Services	1,395.00	Nurses Contract
Office Products Center	799.13	Supplies
Pahlke Law Office	350.00	Courts
Prorate Services LLC	40.00	R&B Supplies
PSI Power Washers, Inc	113.58	R&B Repairs
Purchase Power	1,008.50	Postage
Redwood Toxicology Laboratory	13.27	24/7 Supplies
Rob Kehn Trucking LLC	16,125.24	R&B Gravel Hauler
Rockmount Research & Alloys	508.69	R&B Supplies
Rosebud Electric Cooperative	264.84	Utilities
Rosebud Farmers Union	40,724.56	R&B Supplies
Runnings	171.33	Supplies
S. Missouri Recycling & Waste	642.06	Solid Waste Rentals
Schreiber Law Firm Prof LLC	1,483.05	Court Appointed
Scott's Auto Repair	64.00	Sheriffs Repairs
SD Dept. Of Revenue	29.95	Hwy Dept Late Fees
SD Dept. Of Revenue	34.40	Landfill Late Fees
SD Dept. Of Transportation	1,965.91	R&B Supplies
SD Secretary of State	30.00	SA Supplies
Southern Plains Behavioral	695.00	Mentally Ill
State Flag Account	195.12	R&B Supplies
State Of South Dakota	8,325.00	Commissioners Audit
Sandy J Steffen Law Office	3,253.66	Court Appointed
Titan Machinery-Platte	3,429.50	R&B Repairs
Tripp County Water User Dist.	52.05	R&B Utilities
True North Steel, Inc.	18,862.20	R&B Supplies
Ulteig	849.00	R&B Prof Service
US Bank Voyager Fleet System	3,106.55	EM&D & Sheriffs Supplies
Verizon Wireless, Bellevue	412.10	Utilities
City Of Winner	4,774.00	Jail Prisoner Housing
The Winner Pharmacy	117.68	Jail Medical
WW Tire Service	1,568.60	Weed Repairs
Juror Fess	611.72	Courts

All members present voted aye. Motion carried.

**2023 Budget Presentations:** The following budgets were presented to the Board for the 2023 year:

Nurse's Office-	\$ 55,576	Senior Nutrition-	\$ 5,638
V.A. Office-	13,893	ARPA-	750,000
ROD-	111,870	Rural Infrastructure -	275,000
M&P Budget-	7,000	Elections-	2,200
Technology-	20,000	Crisis Center-	600
Senior Nutrition-	5,638	Operating Transfers-	100,000
Commissioners Contingency-	100,000		

The following 2023 Revenue Budgets were presented to the Board:

General Fund-	\$ 3,068,446
EM&D Fund-	37,413
R&B Fund-	3,153,817
Domestic Abuse Fund-	450
E-911 Fund-	78,150
24/7 Sobriety Fund-	10,060
Fire Protection Fund-	73,684
M&P Fund-	7,780
ARPA Fund-	2,000
Rural Infrastructure Fund-	275,150

All departmental requests and the miscellaneous individual line items will be compiled into the 2023 Provisional Budget for further review.

**Public Hearing for TCWUD Easement:** The Chair opened the public hearing to hear the application from Tripp County Water User District for county-wide authorization for constructing or laying water pipelines over, across or under public highways. This is a twenty-year easement.

#### **RESOLUTION NO. 2022-05**

**Resolution No. 2022-05, granting Tripp County Water User District a county-wide authorization for the purpose of constructing, operating and maintaining the Gregory County portion of the works of Tripp County Water User District.**

Tripp County Water User District has heretofore applied to the Board of County Commissioners of Gregory County, South Dakota, for authorization to construct or lay, operate, and maintain its water pipeline on, over, across, or under public highways and rights-of-way for the purpose of providing rural water service in Gregory County, South Dakota, and elsewhere in the Tripp County Water User District service area. Notice was duly given by mail of the application of Tripp County Water User District to any public entity having jurisdiction and supervision over any of the involved highways and to all person, firms or corporations owning or operating electric, telephone, or telegraph lines within Gregory County, South Dakota, all in compliance with SDCL 31-26-13. All comments received were considered by the Gregory County Commissioners. This Resolution was adopted pursuant to SDCL 31-26-25 by the Board of County Commissioners of Gregory County, South Dakota, at a regular meeting which was held in the Commissioner's room in the Courthouse in the City of Burke, Gregory County, South Dakota, on the 5<sup>th</sup> day of July, 2022. A majority of the Commissioners were present.

After discussion, the following resolution, numbered 2022-05, was offered by Jeff Johnson and seconded by Lance Matucha, and upon roll call for vote, members voting aye were Lance Matucha, Jeff Johnson and Jessy Biggins. Members absent: Myron Johnson and Bob Hausmann. Resolution was passed.

BE IT RESOLVED that the Tripp County Water User District, a public corporation and political subdivision of the State of South Dakota, shall be allowed and permitted to construct, operate, and maintain an underground pipeline for transmitting water or all purposes for which said District was formed along any and all public right-of-way, including all rights-of-way between all sections in Gregory

County, South Dakota, so long as said transmission and distribution pipe is buried so as not to interfere with the building of any roads or causing any liability to the County.

BE IT FURTHER RESOLVED that the Tripp County Water User District shall bear the expense of all subsequent movement of the pipeline, if such is required by Gregory County.

BE IT FURTHER RESOLVED that when the pipeline is installed in the public right-of-way, such right-of-way shall be restored to as near its original condition as is practical with normal construction methods.

BE IT FURTHER RESOLVED that the installation of such pipeline and appurtenances in the public right-of-way shall conform to plans and specifications to be submitted to the County, prior to construction, for review and commend, and said plans shall include the following conditions:

1. Notice Prior to Starting Work: Before starting construction work, the County Road Superintendent or other designated employee of the County will be notified at least 48 hours in advance of the time work is to begin.
2. Minimum Interference with Traffic: All work will be planned and carried out so as to minimize inconvenience to the traveling public.
3. Storage of Material: No material shall be stored with eight (8) feet from the edge of pavement or traveled way or within the shoulder line unless otherwise approved by the County Superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed and the right-of-way left in as presentable a condition as before work started.
5. Care of Drainage: If the contemplated work interferes with established drainage, provisions will be incorporated in the project during construction to maintain normal drainage.
6. Location Plans: Upon completion of the work, a copy of the record drawings will be furnished to the County for their records and use.
7. Maintenance: The pipelines and appurtenances placed in the County right-of-way will be maintained and reasonable care exercised in inspecting and repairing any portion of the right-of-way which occurs as a result of the operation and maintenance of the pipelines and appurtenances.
8. Paved and FAS (Future Paved) Roadways: Pipelines installed perpendicular to asphalt or concrete paved roadways will be installed by boring and jacking methods or by an open cut. Pipelines installed longitudinally in a right-of-way will be by an open cut. Minimum of one-half of paved surfacing will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.
9. Graveled and Other Roadways: Pipelines installed transversely will be bored (minimal depth of 6 feet)
10. Road Closures: Roadways may be closed during construction for crossings provided detour signing is maintained. All lanes will remain clear and open during hours of darkness. Pipelines installed longitudinally in a right-of-way will be by an open cut.
11. Depth of Pipelines: Pipelines will be placed to a depth to cover consistent with design standards for water pipelines for the area. Where additional pipeline cover is necessary to accommodate future roadways, vertical and horizontal roadway designed clearances, the County shall so

advise Tripp County Water User District at the time of County review of the need for additional pipeline cover.

ADOPTED this 5<sup>th</sup> day July, 2022.

**Highway Department Report:** Brad Ellwanger, Highway Superintendent, met with the Board to discuss road maintenance throughout the county.

**BIG Grant Application:** Motion by Lance Matucha, second by Jeff Johnson to offer the following resolution for application of funds:

WHEREAS, Gregory County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant and/or Local Federal Bridge Programs:

**STRUCTURE NUMBER(S) AND LOCATIONS:**

**27-220-326, 3.4 miles South and 8.0 miles West of Bonesteel, SD over Ponca Creek**

and WHEREAS, Gregory County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan\*;

and WHEREAS, Gregory County agrees to pay the 20% match on the Bridge Improvement Grant funds and/or 0.0% match on the Local Federal Bridge funds;

and WHEREAS, Gregory County hereby authorizes the Bridge Improvement Grant and Local Federal Bridge application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant and/or Local Federal Bridge application(s).

Upon roll call for vote: Members voting aye: Jeff Johnson, Lance Matucha and Jessy Biggins: Members absent: Myron Johnson and Bob Hausmann. Motion passed.

**Application for Occupancy of R-O-W:** Motion by Jeff Johnson, second by Lance Matucha to approve an application for R-O-W occupancy from Golden West Telecommunication for placement of a cable to 30331 Lone Star Road located in Section 31-T95N-R72W. All members present voted aye. Motion carried.

**Adjourn:** Motion by Jeff Johnson, second by Lance Matucha to adjourn. All members present voted aye. Motion carried.

ATTEST: \_\_\_\_\_

Julie Bartling, Gregory Co. Auditor

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Jessy C. Biggins, Chair