

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, October 18, 2022, at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Myron Johnson, Jeff Johnson (via telephone), Lance Matucha 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 Myron Johnson, second by Lance Matucha to approve the agenda as presented. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Bob Hausmann, second by Jeff Johnson to approve the minutes of the October 4, 2022 Commission 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.

Ex-Parte Communications: The Chair inquired if there have been any ex-parte communications by any member present. Myron Johnson noted communication with William Davis, the individual requesting a variance from the Board of Adjustment, as his property is adjacent to that of Mr. Davis.

Public Input: The meeting was opened up for public input. A group of citizens met with the Board to raise concerns with election results from previous elections. Present were: Steve McCance, Alyssa Liewer, Juli Peppel, Mary Horn, Tony Koenig, Margie Capparelli, Al Pontillo, and several others who did not sign the register.

Mr. McCance was spokesman for the group commenting that the DS200 counters were flawed, and that hand counting of ballots should be implemented for the ensuing General Election. Mr. McCance suggested that a zoom meeting be set up with representatives of a group titled South Dakota Canvassing/Midwest Swamp Watch, to further discuss concerns and remedies.

A special meeting will be set prior to the election to discuss potential changes including hand counting of ballots and reviewing Cast Vote Records.

Board of Adjustment: Motion by Myron Johnson, second by Bob Hausmann to adjourn as a Board of County Commissioners and to convene as a Board of Adjustment. All members present voted aye. Motion carried.

Approval of Variance: Motion by Lance Matucha, second by Myron Johnson to approve the following variance application:

*William Davis to build a house on a parcel of land less than 40 acres in an Ag District in Lot 2, Johnson Subdivision, SE ¼ of Section 19-97-71.

All members present voted aye. Motion carried.

Adjourn and Reconvene: Motion by Bob Hausmann, second by Jeff Johnson to adjourn as a Board of Adjustment and to reconvene as a Board of County Commissioners. All members present voted aye. Motion carried.

Approval of Plats: The following plats were presented for approval:

- 1) Plat of Lot 1A and 2A, Lot 1A a subdivision of a portion of Tract 1, and Lot 2A a subdivision of a portion of Tract 2, located in the NW ¼, Section 18- T95N-R68W.

Motion by Bob Hausmann, second by Lance Matucha to offer the following resolution of approval:

APPROVAL-GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: The owner of the land herein platted as **Lot 1A and 2A, Lot 1A a subdivision of a portion of Tract 1, and Lot 2A, a subdivision of a portion of Tract 2**, located in the NW ¼ of Section 18, T 95 N, R 68 W 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 are located outside the platting jurisdiction of any municipality, and it appears that this plat meet all requirements of SDCL 11-3-8, NOW THEREFORE; BE IT RESOLVED: that the plat be approved this 18th day of October, 2022.

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

- 2) Plat of Lots 3-A, 3-B, and 5-A, a Re-subdivision of Lots 3 and 5, Johnson Fifth Subdivision, located in the SE ¼ of Section 18, T97N, R71W.

Motion by Myron Johnson, second by Jeff Johnson, to offer the following resolution of approval:

APPOVAL-GREGORY COUNTY BOARD OF COMMISSIONERS (SDCL 11-3-8)

WHEREAS: the owners of the land herein platted as **Plat of Lots 3-A, 3-B and 5-A, a Re-subdivision of Lots 3 and 5 Johnson Fifth Subdivision**, located in the SE ¼ of Section 18, Township 97 North, Range 71 West of the 5th P.M., Gregory County, SD, have presented to the Gregory County Board of Commissioners the described plat, and it appears that this plat conforms to all requirement of SDCL 11-3-8, NOW THEREFORE; BE IT RESOLVED: that the plat be approved this 18th day of October, 2022.

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

- 3) Plat of Lot 1, Matucha First Subdivision, located in the SW ¼ of Section 15, T97N, R71W.

Motion by Bob Hausmann, second by Jeff Johnson to offer the following resolution of approval:

APPROVAL-GREGORY COUNTY BOARD OF COMMISSIONERS

WHEREAS: the owners of the land herein platted as **Lot 1, Matucha First Subdivision**, located in the SW ¼ of Section 15, T 97 N, R 71 W of the 5th P.M., Gregory County, SD, having presented to the Gregory County Board of Commissioners the described plat, and that the platted land is outside the platting jurisdiction of any municipality and that it appears that this plat meets all requirements of SDCL 11-3-8, NOW THEREFORE; BE IT RESOLVED: that the plat be approved this 18th day of October, 2022.

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

Dallas Bridge Deck Polymer Chip Seal (No. 27-010-197): The bid letting for the Bridge Deck Polymer Chip Seal for Structure No. 27-010-197 (Dallas Bridge), was held at 9:30 a.m. as advertised.

The following bids were received;

PCi Roads, LLC -	\$ 219,704.50
J.V. Bailey Co., Inc -	108,018.36
BX Civil & Construction, Inc -	146,795.00
SFC Civil Constructors -	144,451.40

Motion by Myron Johnson, second by Lance Matucha to accept the bid of J.V. Bailey Co., Inc., pending verification of bid documents by Ulteig Engineering and concurrence by SDDOT. All members present voted aye. Motion carried.

Travel Request: Motion by Myron Johnson, second by Bob Hausmann to approve travel to John Jensen and Christopher Reinartz, Weed Department employees, to attend the District Weed and Pest meeting at Pierre, SD on October 26, 2022. All members present voted aye. Motion carried.

Gregory County Highway Department Report: Brad Ellwanger, Highway Superintendent, met with the Board to discuss road and bridge projects currently underway.

County Highway Department Employee Concerns: Several county highway department employees met with the Board to discuss the change in the hours work schedule and the need for salary increases to keep the crew comparable to other counties that perform similar job duties.

Motion by Myron Johnson, second by Bob Hausmann to change the hours schedule for the Highway Department crew back to 4 - 10 hour days per week, effective October 24, 2022. All members present voted aye. Motion carried.

The Board will discuss the request for salary requests in the near future.

Law Enforcement Contract with Gregory City: Motion by Myron Johnson, second by Jeff Johnson to approve the Law Enforcement Services Contract with the City of Gregory for the year 10-1-22 through 9-30-23 at a rate of \$525.00 per day (\$262.50 per half day). All members present voted aye. Motion carried.

Resignation of Employee: Motion by Lance Matucha, second by Myron Johnson to accept the resignation of Christopher Reinartz effective November 1, 2022. All members present voted aye. Motion carried.

Surplus Property: Motion by Lance Matucha, second by Bob Hausmann to surplus the following items, as they no longer function for the county:

#097- Steel desk from DOE

#230- Propane generator from EM&DS

All members present voted aye. Motion carried.

Executive Session: Motion by Myron Johnson, second by Bob Hausmann to enter into executive session at 11:25 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Lance Matucha, second by Jeff Johnson to adjourn from executive session at 12:20 p.m. with no action taken. All members present voted aye. Motion carried.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Jessy C. Biggins, Chair