

## Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, September 5, 2023, at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Byrain Boes, and Lance Matucha. Members absent: Jeff Johnson. 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 Byrain Boes to approve the agenda as presented. All members present voted aye. Motion carried.

**Approval of Minutes:** Motion by Byrain Boes, second by Lance Matucha to approve the minutes of the August 15, 2023 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. None were notated.

**Ex-Parte Communications:** The Chair inquired if there have been any ex-parte communications by any member present. None were notated.

Motion by Lance Matucha, second by Byrain Boes to offer the following Memorial Resolution:

### **Resolution in Memory of Robert J. Hausmann**

**WHEREAS**, the communities of Bonesteel, Fairfax and St. Charles and surrounding rural areas, and the County of Gregory has lost a valued friend and leader in the passing of Commissioner Robert J. Hausmann; and

**WHEREAS**, Commissioner Hausmann worked tirelessly for his constituents in efforts to improve the quality of daily life for all; and

**WHEREAS**, Robert "Bob" Hausmann served just short of 7 years as Gregory County Commissioner in District 4 of the County, serving on a number of boards representing the County; and

**WHEREAS**, Commissioner Hausmann's sense of humor, kindness, energy and graciousness enriched all who were fortunate enough to know and work with him; and

**WHEREAS**, Bob was much loved by his family, and respected by his friends and co-workers and the entire Gregory County community;

**NOW THEREFORE, BE IT RESOLVED**, on behalf of the entire County of Gregory, the Gregory County Board of Commissioners recognizes and remembers the significant contributions of Commissioner Robert J. Hausmann over his terms of service to Gregory County; and

**BE IT FURTHER RESOLVED** that the Gregory County Board of Commissioners and all employees of Gregory County extend their condolences to the family and friends of Robert J. Hausmann, and extend their appreciations for the friendships with Bob made over the years.

All members present voted aye. Resolution passed.

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

Cheyenne Colton, GF&P Conservation Officer, stopped by to introduce herself to the Commission, beginning employment with the State a couple months ago.

**Sheriff's Budget Discussion:** Tim Drey, Sheriff, met with the Board to request that the salary for Tevin Anderson be adjusted to meet the salary of the lowest paid deputy. The Board will discuss the request at the budget hearing.

**Highway Department Report:** Tyler Plulmbtree, Highway Superintendent, met with the Board to discuss projects underway at the Highway Department.

**Surplus of Equipment:** Motion by Byrain Boes, second by Lance Matucha to surplus highway department equipment and to sell the equipment on Big Iron Auctions. The Highway Superintendent will report to the Board at the next meeting what equipment will be offered and the date and time of the online sale. All members present voted aye. Motion carried.

Motion by Lance Matucha, second by Byrain Boes to surplus certain pieces of Highway Department equipment as scrap iron that will have no value to sell at auction. The Highway Superintendent will report to the Board at the next meeting any equipment that will be deemed scrap iron. All members present voted aye. Motion carried.

**Project #BRO 8027(00)22-1 (Dallas Bridge) Change Order:** Motion by Lance Matucha, second by Byrain Boes to approve Change Order #1 for project #BRO 8027(00)22-1-Dallas Bridge which lowers the final and total payment amount from \$108,018.36 to \$98,440.66. Reasons for the change are attached to the change order and are filed in the Auditor's Office. All members present voted aye. Motion carried.

**2024 Provisional Budget Hearing:** The public hearing for the 2024 Gregory County Provisional Budget was held at 10:00 a.m. as advertised. Chair Biggins opened up the hearing. All budgets were reviewed with the following budgets changed:

**Road & Bridge Budget:** \$3,967,102 to \$3,965,261 (Salaries and Road Construction changes)  
**Auditor Budget:** \$ 116,384 to \$112,516 (Salary change)  
**DOE Budget:** \$ 135,664 to \$155,450 (Salary, Postage & Program changes)  
**ROD Budget:** \$ 121,680 to \$125,351 (Salary change)  
**VA Budget:** \$ 24,756 to \$13,230 (Reduce to 2023 budget until 2024 budget presentation is given to the Board by VA Officer)  
**Sheriff Budget:** \$ 526,870 to \$531,982 (Salary change)  
**Weed Dept. Budget:** \$ 122,619 to \$123,551 (Salary change)

The Auditor will adjust the provisional budget's expenditures and revenue estimates, and provide such to the Board for review prior to consideration of the final adoption of the 2024 Annual Budget.

**5-Year County Road Plan:** Motion by Lance Matucha, second by Byrain Boes to advertise for a public hearing for reviewing the draft proposal of the 2024 through 2028 County Highway and Bridge Improvement Plan, to be held September 19, 2023 at 9:30 a.m. All members present voted aye. Motion carried.

**Rural Access Infrastructure Plan-Small Structure Program for Organized and Unorganized Townships:** Tyler Plumbtree, Highway Superintendent, presented the 5-Year Small Structure Improvement Plan for the Unorganized Townships and said plan for the organized township of Edens.

Total 2024 funding expectations from the Rural Access Infrastructure Funds for the Unorganized Townships is \$282,400.00, and for Edens Township is \$12,240.00.

Motion by Byrain Boes, second by Lance Matucha to approve the presented plans and to notate that the 7 other organized townships did not seek small structure funds. All members present voted aye. Motion carried.

**Chip Seal Bid Letting:** The bids for chip sealing 3.5 miles of road on County Road 28 were received at 10:30 a.m. as advertised. The following bids were received:

Bituminous Paving, Inc.-	\$150,392.25
TopKote, Inc.-	\$122,682.46
The Road Guy Construction Co.-	\$114,960.30

Motion by Lance Matucha, second by Byrain Boes to accept the low bid of The Road Guy Construction Co. All members present voted aye. Motion carried.

**Weed Spraying Concerns:** Deanna Nelson met with the Board to discuss concerns that her soybeans have been damaged by chemical spray that she believes was sprayed by the county weed department.

John Jensen, Weed Department Supervisor also met to verify that the county was not in the area at the time when the damage occurred. Mr. Jensen mentioned that inversion is the suspect cause for the damage.

The county asked Mrs. Nelson to gather the spray records of the renter of the property to see what other chemicals might have been sprayed in the field of soybeans.

**Cancellation of Uncashed Checks/Warrants:** Kathy Serr, Treasurer, met with the Board to discuss the cancellation of uncashed checks or warrants.

The following resolution was offered by Lance Matucha and seconded by Byrain Boes:

#### **RESOLUTION**

WHEREAS, the Gregory County Treasurer has presented a list of outstanding checks which are two years or older; and

WHEREAS, according to SDCL 7-22-17, the Board of Gregory County Commissioners may, by Resolution, cancel any check or warrant that has not been presented for payment at any time within the two years of the date on which the check or warrant was issued;

NOW THEREFORE BE IT RESOLVED, that the following checks will be cancelled in accordance with SDCL

7-22-17 unless they are redeemed on or before the date of next regular Board meeting to be held September 19, 2023.

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>TO WHOM</u>	<u>AMOUNT</u>
11/8/2018	# 109846	Matthew Boyd (juror fees)	\$ 22.60
11/8/2018	# 109866	Hunter Curtis (juror fees)	\$ 10.84

All members present voted aye. Resolution carried.

The Board was also informed of a warrant that has not been cashed as it continues to be involved in negotiations with the County Highway Department.

**Approval of Claims:** Motion by Lance Matucha, second by Byrain Boes 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, 2023.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$3,823,105.95	
Insufficient Fund Checks.....	\$	0.00
Cash Over.....	\$	431.68
TOTAL.....	\$	3,824,062.63

Julie Bartling, Gregory County Auditor

County of Gregory )

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State of South Dakota )

Statement of fees collected in the Register of Deeds Office for the month ending July 31, 2023 in the amount of \$13,400.08 and for the month ending August 31, 2023 in the amount of \$9,590.89.

Statement of fees collected in the Sheriff’s Office for the month ending August 31, 2023 in the amount of \$987.50.

Statement of fees collected in the Clerk of Courts Office for the month ending July 31, 2023 in the amount of \$3,360.25.

**August 2023 Payroll**

Wellmark \$16,255.92	SDRS \$13,923.64
AFLAC \$156.02	Group Resources \$280.00
NE Child Support Payment Center \$850.00	MN Child Support \$513.00
SDSRP \$100.00	Office of Child Support \$836.58
1st Fidelity Bank \$27,315.08	GIS Benefits \$2,226.12
Colonial Life \$1,082.72	Commissioners \$3,467.56
Auditor \$7,689.66	Treasurer \$9,007.21
States Attorney \$8,409.51	Courthouse \$4,415.53
DOE \$8,715.24	ROD \$8,303.45
VA \$767.17	Sheriff \$25,814.53

Solid Waste \$4,095.96  
 4-H/Youth \$5,826.73  
 Planning/Zoning \$513.96  
 EM&D \$1,779.31

Nurse \$3,942.86  
 Weed \$7,166.78  
 Road/Bridge \$57,833.74  
 24/7 Sobriety Testing \$193.16

Burke School District #26-2	July 2023 Apportionment	4,119.11
Gregory School District #26-4	July 2023 Apportionment	6,181.23
South Central School #26-5	July 2023 Apportionment	3,282.93
Dixon Township	July 2023 Apportionment	4,386.67
Edens Township	July 2023 Apportionment	2,539.49
Fairfax Civil Township	July 2023 Apportionment	1,259.59
Jones Township	July 2023 Apportionment	1,922.54
Landing Creek Township	July 2023 Apportionment	1,392.11
Pleasant Valley Township	July 2023 Apportionment	1,869.26
Schriever Township	July 2023 Apportionment	835.33
Star Valley Township	July 2023 Apportionment	684.60
Bonesteel Town	July 2023 Apportionment	1,957.07
Burke City	July 2023 Apportionment	2,187.22
Dallas Town	July 2023 Apportionment	1,174.75
Town Of Fairfax	July 2023 Apportionment	937.38
Gregory City	July 2023 Apportionment	6,319.98
Town Of Herrick	July 2023 Apportionment	1,184.43
South Central Water Dev. Dist.	July 2023 Apportionment	55.79

Agspray Equipment	32.39	Weed Supplies
Appera	133.12	R&B Supplies
Assman Impl Inc	224.60	R&B Repairs
B&L Communication	156.56	EM&DS Equipment
Bargen Incorporated	71,561.76	R&B Construction
Bonesteel Fire Department	3,872.78	2023 Fire Ins Distribution
Burke Building Center	125.19	Supplies
Burke City	2,091.45	Utilities
Burke Fire Dept.	8,043.42	2023 Fire Ins Distribution
Burke Gazette	753.77	Publishing
True Value Hardware-Burke	103.52	Supplies
Butler Machinery	634.77	R&B Repairs
Central Distribution	278.34	Courthouse Supplies
Charles Mix Co. Sheriff	70.00	Jail Prisoner Housing
CHS Burke	62.50	Courthouse Supplies
CHS Winner	62.80	R&B & SW Supplies
Coach's Lawn Service, LLC	240.00	Courthouse Supplies
Connecting Point	12,989.25	Copy Machine
Dakota Auto Care	1,749.30	Sheriffs & R&B Repairs
Dallas Fire Dept.	1,720.68	2023 Fire Ins Distribution

Dallas Town	25.00	R&B Utilities
Evergreen Office Solutions	33.00	SA Software Maintenance
Executive Management	118.00	Auditors Utilities
Fairfax Fire Department	1,515.15	2023 Fire Ins Distribution
First National Bank Omaha	680.13	Supplies
Galls, LLC	428.95	24/7 Supplies
Golden West	1,382.11	Utilities
Graham Tire Mitchell	690.48	Weed Repairs
Gregory Co. Treasurer	4,352.32	Partial Pmt
Gregory Co. Treasurer	2,500.14	Partial Pmt
Gregory Co. Treasurer	2,124.22	Partial Pmt
Gregory Fire Department	11,556.77	2023 Fire Ins Distribution
Gregory Times Advocate	682.50	Publishing
Kerri Grim	71.70	Postage
Grossenburg Implement	982.91	R&B Repairs
Hein Law Office	333.81	Court Appointed
Hughes County Finance Office	1,475.00	Jail Prisoner Housing
Interstate Battery System	335.90	R&B Supplies
J And J Materials	5,283.81	R&B Supplies
Jim's Garbage Service	190.00	Courthouse Utilities
Joel Sinclair LLC	2,115.32	R&B Gravel Hauler
Johnson Auto Repair	88.25	Weed Repairs
Kennebec Telephone Company	78.76	EM&D Utilities
Kimball Midwest	557.12	R&B Supplies
M&J Auto	34.99	Program Supplies
Main Street Auto Parts LLC	1,306.18	Supplies & Repairs
Marco	113.97	Copy Machine
Mason Juracek-Attorney at Law	1,389.80	Court Appointed
Mcleod's Printing	1,092.19	DOE Supplies
Mr. Automotive	631.53	R&B Repairs & Supplies
Rachelle Norberg	4,379.76	Court Appointed
Office Products Center	1,002.52	Supplies
Peterbilt Of Norfolk	1,111.34	R&B Repairs
Ada Powell	500.00	Courts
Prorate Services Inc	40.00	R&B Supplies
Pump N Stuff	119.71	CH Supplies & Courts
Purchase Power	3,263.49	Postage
Redwood Toxicology Laboratory	106.36	24/7 Supplies
Rob Kehn Trucking LLC	7,100.30	R&B Gravel Hauler
Rosebud Electric Cooperative	270.56	EM&D Utilities
Rosebud Farmers Union	7,543.34	R&B Repairs & Supplies
Runnings	991.87	Supplies
S. Missouri Recycling & Waste	1,244.40	Solid Waste Rentals
Scott's Auto Repair	84.00	Sheriffs Repairs

SD Asso. of County Commission	600.00	Convention Registration
SDACOM & PRF	158.00	July 2023 M&P Collections
SD Dept. of Revenue	120,158.88	July 2023 Cash Receipts
SD State Treasurer	249.66	July 2023 Sales Tax Landfill
SDVSOA	100.00	VA Membership & Registration
SDSWMA	100.00	Solid Waste Supplies
Kathy Serr	21.93	Postage
South Dakota State 4-H Office	900.00	4H Salary
Sandy J Steffen Law Office	1,130.10	Court Appointed
Taylor Plumbing	89.29	Courthouse Repairs
Tripp County Water User Dist.	34.85	R&B Utilities
True North Steel, Inc.	53,436.80	R&B Supplies
Ulteig	25,177.66	R&B Prof Service
Us Bank Voyager Fleet System	2,283.72	Sheriff & EM&D Supplies
Van Diest Supply Company	866.00	Courthouse Supplies
Verizon Wireless, Bellevue	481.29	Utilities
Wheelco	878.41	R&B Repairs
City Of Winner	8,375.00	Jail Prisoner Housing
City Of Winner	18,168.00	911 Contract Expenses
The Winner Pharmacy	246.22	Jail Medical Expenses
Winner Regional Clinic	228.00	Jail Medical
Winner Regional Healthcare	107.00	Jail Medical Expenses
Yankton Fire & Safety Company	250.00	Courthouse Supplies
Yankton Fire & Safety Company	1,024.00	R&B Supplies

All members present voted aye. Motion carried.

**Denial of LEMPG Program:** Motion by Lance Matucha, second by Byrain Boes to deny participation in the 2024 Local Emergency Management Performance Grant program. All members present voted aye. Motion carried.

**Travel Approval:** Motion by Byrain Boes, second by Lance Matucha to approve travel to the Auditor, Treasurer and Register of Deeds to attend the SDACC/SDACO convention in Sioux Falls, SD on September 11-12-13, 2023. All members present voted aye. Motion carried.

**Opioid Settlement Funds Award:** Motion by Byrain Boes, second by Lance Matucha to approve granting \$6,384.08 of Opioid Remediation Settlement funds to the Southern Plains Behavior Health Services of Winner. All members present voted aye. Motion carried.

**Restricted Fund Balance Journal Entry:** Motion by Lance Matucha, second by Byrain Boes to approve transfer of American Rescue Plan funds from Restricted to Unrestricted within the Equity Balance of the General Fund. The total balance of \$559,190.39 has been expended in General Fund salaries. This journal entry will reflect in the August balancing. All members present voted aye. Motion carried.

**Application for Assistance with Funeral Expense:** Motion by Lance Matucha, second by Byrain Boes to approve an application for assistance with funeral expenses for a county resident who has been deemed indigent, with a maximum allowance of \$2,500.00. All members present voted aye. Motion carried.

**Executive Session:** Motion by Lance Matucha, second by Byrain Boes to enter into executive session at 12:59 p.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Byrain Boes, second by Lance Matucha to adjourn from executive session at 1:18 p.m. with the following action taken:

Doug Janousek of Fairfax, SD is hereby appointed to fill the unexpired term of Bob Hausmann until the end of the calendar year of 2024. Mr. Janousek will be sworn in on September 19, 2023. All members present voted aye. Motion carried.

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

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

Julie Bartling, Gregory Co. Auditor

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Jessy Biggins, Chair