

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Wednesday, March 20, 2024, at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Byrain Boes, Doug Janousek, Lance Matucha and Jeff Johnson. Also present: Julie Bartling, Gregory County Auditor; Amy Bartling Jacobsen, States Attorney; and Patty Connealy, Gregory Times Advocate.

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

Approval of Agenda: Motion by Jeff Johnson, second by Byrain Boes to approve the agenda as presented with the following addition: Larry 'Bud' Schweigert of Schweigert Construction and Tony Timanus, Avera Gregory Health Care Administrator, will meet with the Board around 9:30 a.m. to discuss disposal of the old Gregory Hospital/Nursing Home at the Gregory County Landfill. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Lance Matucha, second by Doug Janousek to approve the minutes of the March 6, 2024 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.

Public Input: The Commission Chair opened the floor for public input.

A large group of citizens appeared to discuss two resolutions motioned at the March 6, 2024 meeting. A roster of those present is on file in the Auditor's office.

One individual inquired about the penalties for violation of the burn ban.

Mr. Rick Weible and Mr. Steve McCance spoke for the group in favor of hand counting. Mr. Weible requested the test decks for the 2022 elections, which are sealed for 22 months after the election at which ballots were voted, per statute, be provided to the group for inspection and testing.

Sara Grim spoke on behalf of a group of citizens who oppose hand counting. Mrs. Grim questioned as to why hand counting is being requested and what has happened in Gregory County to request such. The automated counters have not produced errors in counting the ballots cast in previous elections. She is also questioning why the Secretary of State has not pushed for statewide hand counting.

Chair Biggins inquired as to whether the group should be heard at a public hearing scheduled at the next regular commission meeting. The group desires to have a public hearing.

Chair Biggins closed the public hearing.

Old Hospital/Nursing Home Refuse Disposal: Larry 'Bud' Schweigert and Tony Timanus of Avera Gregory Hospital met with the Board to request the availability of dumping construction rubble from the

old hospital and nursing home at the county landfill site. The county is permitted for 4,999 tons. The Board will discuss the matter with the Highway Superintendent at the next meeting.

Executive Session: Motion by Jeff Johnson, second Byrain Boes to enter into executive session at 9:38 a.m. to discuss legal matters. All members present voted aye. Motion carried.

Motion by Lance Matucha, second by Jeff Johnson to adjourn from executive session at 10:05 a.m. with action to be taken. All members present voted aye. Motion carried.

Motion by Jeff Johnson, second by Doug Janousek to rescind Resolution #2024-05 (Hand Counting of Election Ballots) as it has legal ramifications and to set a public hearing regarding hand counting of ballots, to be held April 3, 2024 at 1:00 p.m. at the Courthouse, per advice of the States Attorney. Upon call for vote: Members voting aye: Johnson, Janousek and Biggins. Members voting naye: Matucha and Boes. Motion passed.

Planning and Development District III Report: Lori Cowman, Executive Director, met with the Board to present the Annual Report of Planning and Development District III for the year of 2023. Programs offered that Gregory County has benefited from included Small Business Support, Governor’s House Program, and support for the Cities and the County with federal funding applications.

Adoption of Resolution #2024-04: Motion by Lance Matucha, second by Jeff Johnson to formally adopt Resolution #2024-04 (Resolution Regulating Open Burning in Gregory County) as proposed. Upon roll call for vote: Johnson-aye; Matucha-aye; Boes-aye; Janousek-aye; Biggins-aye. Motion passed.

Executive Session: Motion by Lance Matucha, second by Byrain Boes to enter into Executive Session at 10:29 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Jeff Johnson, second by Byrain Boes to adjourn at 11:26 a.m. with no action taken. All members present voted aye. Motion carried.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Jessy Biggins, Chair