

Gregory County Commission Proceedings

The regular meeting of the Gregory County Commission was held Tuesday, March 18, 2025 at 9:00 a.m. in Burke with the following members present: Jessy Biggins, Doug Janousek, Byrain Boes, Peg Glover, and Jeff Johnson. Also present: Julie Bartling, Auditor 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 Peg Glover, second by Jeff Johnson to approve the agenda with the following additions: Tax abatement application approved by Burke City; discussion regarding two abatement applications received at last meeting; revisit tax abatement approved on 2/18/2025; and approval to hire 4-H Summer Assistant. All members present voted aye. Motion carried.

Approval of Minutes: Motion by Jeff Johnson, second by Doug Janousek to approve the minutes of the March 4, 2025 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 disclosed.

Ex-Parte Communications: The Chair inquired if there have been any ex-parte communications by any member present. Commissioner Biggins advised the Board that he viewed the property of Mr. Brett Soesbe, who is on the agenda to discuss zoning.

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

February 2025 Reports:

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 February 28, 2025.

Total Amount of Actual Cash.....	\$	525.00
Checking Account.....	\$	2,303,090.19
Insufficient Fund Checks.....	\$	9,724.39
Cash Over.....	\$	244.42
Certificate of Deposit.....	\$	2,300,000.00
TOTAL.....	\$	4,613,584.00

Julie Bartling, Gregory County Auditor

County of Gregory)
) SS
State of South Dakota)

Statement of fees collected in the Clerk of Courts Office for the month ending February 28, 2025 in the amount of \$4,303.67.

Summer 4-H Assistant Hiring: Motion by Jeff Johnson, second by Peg Glover to approve hiring Libby Krcil as the 4-H Summer Assistant for 2025 beginning May 18, 2025 at a starting wage of \$15.88 for 560 hours. All members present voted aye. Motion carried.

Soesbe Addition Lot: Brett Soesbe met with the Board to discuss the possibility of setting his acres to 1 acre size, which would require a change in the zoning ordinance, or perhaps variances could be granted.

Betty Jo Hoffman, P&Z Administrator, advised that she had a rezone hearing scheduled with the Planning and Zoning Board in the past, and Mr. Soesbe pulled his application.

Ms. Hoffman also advised the only options available at this time is to rezone or annex into the city limits. Mr. Soesbe stated that many of his clients do not want to live in the city limits.

Chair Biggins went through the process that Planning & Zoning would require for rezoning.

Golden West Occupancy Application: Motion by Byrain Boes, second by Jeff Johnson to approve an application from Golden West Telecommunications for occupancy at 29071 341st Avenue, located in Section 28, T97N, R72W. All members present voted aye. Motion carried.

Employee Resignation: Motion by Byrain Boes, second by Doug Janousek to accept the resignation of Bradley Ellwanger, Highway Department employee, effective 3-20-25. All members present voted aye. Motion carried.

Mr. Bob Nelson, Highway Superintendent, discussed the possibility of keeping Mr. Ellwanger on as part-time (less than 20 hours per week). The Board asked that he research this further and come back at the next meeting.

Highway Department Report: Bob Nelson, Highway Superintendent, reported on the following:

- Culverts on east side of CR 23 - adjacent to the City of Burke – will further look into project
- Riprap projects underway
- Hauling gravel from landfill to zero out pile
- Hauling of Standy pit gravel continues
- Equipment maintenance update
- Keeping roads passable – need for gravel on shoulder work
- State load limits are still on
- Williams Bottom easements

Ulteig Engineering Proposal: Motion by Byrain Boes, second by Jeff Johnson to authorize the Highway Superintendent to sign the proposal of Ulteig Engineering for services on Project 23 Replacement Pipe (Ponca Creek) for \$47,740. This is reimbursable by FEMA. All members present voted aye. Motion carried.

Free Dump Days: The Highway Superintendent advised the Board that the 2025 Free Dump Days are scheduled for May 13-14 (Cities & Towns) and May 16-17 (Gregory County Residents).

Executive Session: Motion by Byrain Boes, second by Peg Glover to enter into executive session at 9:46 a.m. to discuss legal matters. All members present voted aye. Motion carried.

Motion by Byrain Boes, second by Peg Glover to adjourn from executive session at 10:16 a.m. with no action taken. All members present voted aye. Motion carried.

Tax Abatement Discussions: The following applications for abatement of taxes were presented and discussed:

- Record #5043 (Burke Hospital Clinic): Abate \$25,189.50 - Assessed Valuation entered in error (\$1,293,107 – should be \$137,107)

Motion by Byrain Boes, second by Doug Janousek to approve the abatement. All members present voted aye. Motion carried.

- Record # 7548 (Caleb Krysl) – Classified as NA (Owner believes OO)
- Record # 7556 (Ryan Cook) – Valuation exceeds market

Motion by Doug Janousek, second by Byrain Boes to deny the applications of Mr. Krysl and Mr. Cook as they do not qualify for abatement under SDCL 10-18-1. All members present voted aye. Motion carried.

- Record #7521 (Donald Kotab, LT)

The Board previously approved the abatement application of the property owner, citing they believe the value was in error based upon the historical valuation. The DOE has challenged the Board on their actions as being illegal, however, the Board is standing by its decision based upon facts and Official AG Opinion No. 94-16 which denotes that SDCL 10-18-1 is not mandatory (“the same may be abated, or the tax refunded if paid”).

Executive Session: Motion by Peg Glover, second by Byrain Boes to enter into executive session at 10:30 a.m. to discuss personnel. All members present voted aye. Motion carried.

Motion by Jeff Johnson, second by Byrain Boes to adjourn from executive session at 11:04 a.m. with no action taken. All members present voted aye. Motion carried.

County Board of Equalization: The Board was informed that April 1, 2025 is the deadline for property owners who reside in the unorganized townships, or who are not agreeable with the local board’s decision on appealed property values, to file their appeals with the county Auditor. County Board of Equalization will begin on April 8, 2025.

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

ATTEST: _____
Julie Bartling, Gregory Co. Auditor

Jessy Biggins, Chair