

AURORA COUNTY COMMISSIONER PROCEEDINGS

September 21, 2023

The meeting was called to order at 9:00 AM by Chairman Clyde Dethlefsen, with Randy Niles, Roger Hanten, and John Paul Studeny present. Absent was Travis Clark.

The Pledge of Allegiance was recited.

There was no public input.

The tentative agenda was amended by adding a discussion item regarding the grant application for the Skunk Creek hydrology project. A motion was made by Studeny, seconded by Hanten to approve the agenda as amended. Motion carried all voting aye.

A motion was made by Studeny, seconded by Niles to approve the minutes from the regular meeting on September 5th and the special meeting on September 11th. Motion carried all voting aye.

Custodian Dan Beckmann will have completed his 6-month probationary period on October 4th. A motion was made by Niles, seconded by Hanten to take Beckmann off the probationary status and increase his hourly rate by .50/hour from \$16.95 to \$17.45 effective October 4, 2023. Motion carried all voting aye.

Highway Superintendent Doug Vissia and Secretary Nancy Beckman were present for the highway report.

The Chairman asked Supt. Vissia how the mowing was going. Commissioner Niles said Jackrabbit Road has not been mowed yet. Supt. Vissia said he would have to check to see, but was sure that it had been mowed earlier this year. Niles said the kochia weeds are bad along that road. They are bad everywhere, said Vissia, it looks like we haven't mowed at all. Commissioner Hanten stated the shoulders on old Hwy 16 need to be graded and mowed. Vissia told the Commission he is planning on taking care of Hwy 16 next week. It was noted that with the recent rain and the moisture that is forecasted for the weekend, the kochia will grow even more. Commissioner Dethlefsen stated if we mow now in another month, we will need to do it again. We have another month of growing with the rain we will be getting, said Dethlefsen, we may be wasting our time doing it now. Vissia said he will hold off on mowing until it freezes so we don't have to do it again before winter.

Commissioner Hanten said if we are not going to be mowing right now, then we need to be out blading the roads. Dethlefsen told Supt. Vissia the roads in the southern part of the county by the gravel pit should be worked up with the blade now since we received some rain. Discussion was held on spraying the weeds by the Lake Road.

A motion was made by Studeny, seconded by Hanten to authorize Hwy Secretary Beckman and Supt. Vissia to attend a safety conference in Pierre on November 1st & 2nd. Motion carried all voting aye.

Discussion was held on who is responsible for mowing along Hwy 16 by the old state shop and the tree shed. It was noted the State used to take care of it until they moved to the new shop. Supt. Vissia said the highway department took care of it.

Dudley Township applied for additional Rural Access Infrastructure Funds (RAIF) for the excess costs that were incurred from the original estimate in the application presented last fall. A motion was made by Studeny, seconded by Hanten to approve RAIF funds for Dudley Township in the amount of \$4,182.55. Motion carried all voting aye.

A motion was made by Studeny, seconded by Niles to approve a Plat of Lot 1 of Bosworth Addition to the NW ¼ of Section 15, T 103 N, R 64 W of the 5th P.M., Aurora County, South Dakota. Motion carried all voting aye.

The proposed 2024 budget was considered pursuant to the notice that was given. A motion was made by Studeny, seconded by Hanten to adopt the 2024 Annual Budget and approve the following resolution. Roll Call Vote: Studeny, aye; Hanten, aye; Niles, aye; Dethlefsen, aye. Motion carried.

ANNUAL BUDGET FOR AURORA COUNTY, SD
For the year January 1, 2024 to December 31, 2024

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

Now Therefore Be It Resolved, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates, and all matters therein set forth, shall be approved and adopted as the annual budget of the appropriation and expenditures for Aurora County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2024 and ending December 31, 2024 and the same is

hereby approved and adopted by the Board of County Commissioners of Aurora County, South Dakota, this 21st day of September, 2023.

The annual budget so adopted is available for public inspection during normal business hours at the office of the county auditor, Aurora County, South Dakota. The accompanying taxes are levied by Aurora County for the year January 1, 2024 through December 31, 2024.

Board of County Commissioners of Aurora County, South Dakota.

s/s Clyde Dethlefsen, Chairman
s/s Roger Hanten, Commissioner
s/s Randy Niles, Commissioner
s/s John Paul Studeny, Commissioner

Attest: Susan Urban, County Auditor

<u>FUND</u>	<u>TAX DOLLARS</u>	<u>\$'s/1.000</u>
General Fund	\$1,736,017.56	1.937

Updates were given on the county summer study session that was held at the county convention last week.

Emergency Manager Skyler Kehn requested permission to attend a workshop in Sioux Falls that is through Homeland Security on school safety programs. He told the Commission that he and Roman want to put together a school action plan and this would be a good workshop to attend. A motion was made by Studeny, seconded by Niles to authorize Emergency Manager Skyler Kehn to attend a school safety program workshop in Sioux Falls on September 29th. Motion carried all voting aye.

Emergency Manager Kehn informed the Board that the security camera software through Touring needs to be upgraded and this will be a yearly expense. He noted that some of the computers that display the camera images time out after 5 minutes without the software upgrade. The cost is \$80 per camera for a total of \$960 per year. A motion was made by Studeny, seconded by Niles to approve the software upgrade. Motion carried all voting aye.

Emergency Manager Kehn reported that he has been trying to contact Brian McGinnis from District III to get started on the application paperwork for the Skunk Creek hydrology project and has not had any response from him. Kehn noted that after the public meeting in April he was told by McGinnis that he would start on the application this summer, but McGinnis has not returned any of his calls or responded to emails. Kehn said he reached out to John Clem from District III for help and he will be working on it with Skyler to try to get it completed before the December 1st deadline. Commissioner Studeny noted that there were issues with McGinnis getting the amendments done to the

zoning ordinance in a timely fashion as well. John Claggett who is sitting in on the commission meeting and is on the District III Board stated he will check into what is going on.

States Attorney Rachel Mairose presented the Commission with a request from Avera Health to re-open an old case from 2019 that was denied by the county. The client was making payments to the hospital at the time and it was determined by the Welfare Director and the former States Attorney that the individual could have afforded health insurance. She stated Avera would like to re-open the case because the client has since passed on. States Attorney Mairose did not feel there was a need to re-open the case because it was already settled and if any new information needed to be obtained, we would be unable to do so because the person is now deceased. A motion was made by Studeny, seconded by Hanten to authorize the States Attorney to send a letter to Avera denying their request to re-open the case. Motion carried all voting aye.

States Attorney Rachel Mairose requested approval to hire Roxy Gerlach as temporary help in her office while her secretary, Brandi Shroyer, is out on maternity leave. She estimates she will be out of the office for approximately 12 weeks. A motion was made by Hanten, seconded by Studeny to hire Roxy Gerlach as temporary help for the States Attorney office at \$16.00/hour. Motion carried all voting aye.

States Attorney Mairose went over updates that were made to the contract law for the City of Plankinton. She noted the biggest issue the Cities of Plankinton and White Lake have is what the county does with excess funds that are not spent from the sheriff's budget. It was noted that the expense budget is spending authority only, it is not actual cash. Commissioners Studeny and Dethlefsen stated that it is not feasible to try to figure anything like this out and would be very difficult to track.

The Commission asked States Attorney Mairose to review the certification required by Executive Order 2023-13 before taking any action to sign it.

MRC Board Chairman and Davison County Commissioner John Claggett, Aurora County MRC representative Stan Johnson, Ryan Yanez from Ringneck & Western were present to discuss the potential \$18 million loan that will go through the MRC for the rail project for the new soybean processing plant in Davison County. Commission Dethlefsen asked who is putting up the loan and whose liability is it if there is a default on the loan. Claggett stated there is a short timeline for this project and the approximate \$18 million loan will be over a 7-year window with the

final payment being a balloon payment. The MRC will be able to keep over \$2 million just from the interest alone. It is like a gift as we are only serving as a pass-through, said Claggett, and it's great economic development for the three counties of Aurora, Brule, and Davison as we are still all members of the MRC. Claggett told the Commission the MRC will be holding a special meeting on October 2nd to consider the loan. Currently there is approximately \$200,000 in the MRC account and with the additional \$2 million from this new loan, it will benefit the MRC and give us a boost to do other projects, said Claggett. According to Mr. Claggett, the projects do not have to be connected to a railroad project. Commissioner Studeny raised concerns about the MRC Board and asked how he (Claggett) was able to negotiate this loan for the rest of the Board and should be getting permission from other Board Members before negotiating. Claggett told Studeny he was not negotiating. Ryan Yanez talked about how it will impact businesses, counties, and customers as they will all benefit from this. The soybean plant will take beans from a 90-mile radius and it is estimated there will be 147 rail cars a week hauling product and 85 full time jobs will be created. Commissioner Studeny wanted to know what kind of negotiations will there be with local elevators and farmers because he has heard concerns from the local elevator. Studeny also questioned how viable this project will be with other processing plants that have gone up all around. Mr. Claggett again stated that there is no liability to any of the counties in the MRC, we are just a passthrough. The State GOED and DOT will be on the hook if it falls through, not the counties or MRC said Claggett. Commissioner Hanten expressed his concerns about what will happen to the local elevators. Are farmers going to bypass the small elevators to take their product to a bigger processing plant, asked Hanten. It was asked what action was going to take place at the special MRC meeting on October 2nd. Claggett said the action to be taken would be whether to accept or deny the State Railroad Trust loan application. Chairman Dethlefsen asked if States Attorney Rachel Mairose would be able to review the paperwork before the loan goes through. Claggett stated that should not be a problem. It was noted that the State Railroad Trust Fund cannot loan any money to a private entity and that is why the processing plant must go through the MRC to get the loan. It was again stated that the liability on the loan falls on the State and the recipient of the loan. The MRC is just a flow through for the loan, said Claggett. The plant should be up and running by the end of 2025.

A motion was made by Studeny, seconded by Niles to enter into executive session with States Attorney Rachel Mairose and MRC Representative Stan Johnson at 12:04 PM as per SDCL 1-25-2(1). Motion carried all voting aye. The Chairman declared the Board out of executive session at 12:25 PM with no official action taken.

Discussion was held on the WIC/Nurse clerical and Welfare Director position opening. No decision was made as the Board will explore possibilities and look into other options.

A motion was made by Studeny, seconded by Niles to file reports and pay vouchers as listed below. Motion carried all voting aye.

Reports: Wheel Tax Paid: Cities \$1,076.00; Townships \$737.06. Reg. of Deeds Fees: Marriage Lic. & Certs, 95.00; Birth & Death Certs, 50.00; Preservation Fund, 147.00; Driver's License, 306.00; Copies, 78.00; Other, 30.00; Recording Fees, 1,225.00; Transfer Fees 1,995.00.

CLAIMS :

COMMISSIONERS		
GOLDEN WEST	PHONE	7.36

		7.36 *

JUDICIAL SYSTEM		
ALVINE LAW FIRM	CAA	1166.30
ALVINE LAW FIRM	CAA	826.45
DAVA WERMERS	CAA	356.10
DAVA WERMERS	CAA	856.10
HEIN LAW OFFICE	CAA	353.42
SOUTH DAKOTA DEPT OF HEALTH	B/A (2)	80.00

		3638.37 *

AUDITOR		
APRIL JOHNSON	ENVELOPES	29.76
GOLDEN WEST	PHONE & INTERNET	54.92
QUILL CORPORATION	COPY MACHINE PAPER	11.88
US POSTAL SERVICE	STAMPED ENVELOPES - AUDITOR	769.70
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	98.42

		964.68 *

TREASURER		
GOLDEN WEST	PHONE, FAXES & INTERNET	22.93
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	147.51

		170.44 *

COURTHOUSE		
AUCA CHICAGO MC LOCKBOX	SERVICES - RAGS & MATS	376.23
FINK PLUMBING	FIX DRINKING FOUNTAIN & FAUCET	86.74
GOLDEN WEST	INTERNET	9.17
GOLDEN WEST	PHONE	41.96
PLANKINTON CITY	COURTHOUSE ELECTRICITY & WATER	1737.05
RON'S MARKET INC	TOLIET PAPER & TRASH BAGS	66.78
SUSAN URBAN	FLAGS FOR THE COURTHOUSE	129.48
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	49.17

		2496.58 *

DIR. OF EQUALIZATION		
GOLDEN WEST	PHONE & INTERNET	11.90
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	98.34

		110.24 *

REGISTER OF DEEDS		
GOLDEN WEST	PHONE & INTERNET	6.77
QUILL CORPORATION	OFFICE PAPER	25.20

		31.97 *

VA OFFICE		
GOLDEN WEST	INTERNET	3.17
QUILL CORPORATION	OFFICE PAPER	3.60
QUILL CORPORATION	COPY MACHINE PAPER	12.08
QUILL CORPORATION	COPY MACHINE PAPER	0.61
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	49.17

		68.63 *

SHERIFF		
GOLDEN WEST	PHONE & INTERNET	107.13
GOLDEN WEST	PHONE	2.98
SD DEPT OF TRANSPORTATION	FUEL FOR VEHICLES	1390.92
TRISHA VANDRONGELEN	MILEAGE FOR 24/7 TRAINING	53.04
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	393.36
WHITE LAKE WELDING	COVER FOR RADAR COVER	112.25

		2059.68 *

JAIL		
BRULE COUNTY	AUGUST JAIL HOUSING	1054.00

		1054.00 *

PUBLIC WELFARE		
GOLDEN WEST	PHONE	6.50
QUILL CORPORATION	COPY MACHINE PAPER	1.79
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	49.17

		57.46 *

MENTALLY HANDICAPPED CENTER FOR INDEPENDENCE	MONTHLY SUPPORT	60.00	

		60.00	*
AG BUILDING GOLDEN WEST PLANKINTON CITY	PHONE AG BUILDING ELECTRICITY & WATE	31.92 66.50	

		98.42	*
COUNTY EXTENSION GOLDEN WEST QUILL CORPORATION QUILL CORPORATION CONNECTING POINT ULTRA INC	PHONE & INTERNET OFFICE PAPER COPY MACHINE PAPER AUGUST CONNECT CARE	57.53 3.60 0.52 98.34	

		159.99	*
WEED CENTRAL ELECTRIC COOP, INC GOLDEN WEST	LANDFILL ELECTRICITY INTERNET	62.00 5.12	

		67.12	*
R&B CONSTRUCTION AUCA CHICAGO MC LOCKBOX BUTLER MACHINERY COMPANY CENTRAL ELECTRIC COOP, INC GOLDEN WEST GREG KROUPA LARRY'S I-90 SERVICE MID-DAKOTA RURAL WATER SYSTEM PLANKINTON CITY QUILL CORPORATION RON'S MARKET INC SAFETY BENEFITS SD DEPT OF TRANSPORTATION TOTAL OIL TOTAL OIL TRANSOURCE TRUENORTH STEEL INC CONNECTING POINT ULTRA INC WHEELCO BRAKE AND SUPPLY INC	SERVICES - RAGS & MATS JACK HAMMER GREASE ELECTRIC BILLS - AUR CTR & STO PHONE & INTERNET GRAVEL TRAILER REPAIRS WATER BILL - STORLA SHOP ELECTRICITY & WATER FOR HWY COPY MACHINE PAPER PINESOL & ENVELOPES SAFETY CONFERENCE REGISTRATION FUEL FOR VEHICLES DEF NOZZLE FUEL LOADER LEASE CULVERTS AUGUST CONNECT CARE OIL	71.56 35.76 123.70 122.73 2596.72 272.59 31.00 348.99 0.75 7.68 150.00 930.95 55.00 7059.34 3200.00 59574.60 98.34 39.12	

		74718.83	*
E 911 SERVICE GOLDEN WEST MID-STATE TELEPHONE CO. SANTEL COMMUNICATIONS	E-911 SERVICES 9-1 TO 9-30-23 E-911 SERVICES 9-1 TO 9-30-23 E-911 SERVICES 9-1 TO 9-30-23	200.00 357.44 53.42	

		610.86	*

EM&D		
GOLDEN WEST	PHONE & INTERNET	13.79
QUILL CORPORATION	OFFICE PAPER	10.80
QUILL CORPORATION	COPY MACHINE PAPER	1.21
RON'S MARKET INC	COOKIES FOR CLASS	28.95
SD DEPT OF TRANSPORTATION	FUEL FOR VEHICLES	51.22
SKYLER KEHN	MEALS AT CONFERENCE	48.00
SKYLER KEHN	FUEL FOR CONFERENCE	75.64
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	49.17

		278.78 *
REGISTER OF DEEDS		
CONNECTING POINT ULTRA INC	AUGUST CONNECT CARE	147.51

		147.51 *
R&B CONSTRUCTION		
DUDLEY TOWNSHIP	80% FUNDING OVER ESTIMATE	4182.55

		4182.55 *
	Total Checks:	90983.47 *

Meeting adjourned subject to call.

Clyde Dethlefsen, Chairman
Aurora County Commission

Attest: _____
Susan Urban, Auditor

Published once at the total approximate cost _____.